

PUBLIC PAPERS AND ADDRESSES

OF

BENJAMIN HARRISON,

TWENTY-THIRD PRESIDENT OF THE  
UNITED STATES.

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LETTERS OF ACCEPTANCE.

I.

ACCEPTING FIRST NOMINATION, 1888.

Hon. M. M. ESTEE AND OTHERS,  
*Committee, etc.:*

GENTLEMEN : When your committee visited me, on the Fourth of July last, and presented the official announcement of my nomination for the Presidency of the United States by the Republican convention, I promised as soon as practicable to communicate to you a more formal acceptance of the nomination. Since that time the work of receiving and addressing, almost daily, large delegations of my fellow-citizens has not only occupied all of my time, but has in some measure rendered it unnecessary for me to use this letter as a medium of communicating to the public my views upon the questions involved in the campaign. I appreciate very highly the confidence and respect manifested by the convention, and accept the nomination with a feeling of gratitude and a full sense of the responsibilities which accompany it.

It is a matter of congratulation that the declarations of the Chicago convention upon the questions that now attract the interest of our people are so clear and emphatic. There is further cause of congratulation in the fact that the convention utterances of the Democratic party, if in any degree uncertain or contradictory, can now be judged and interpreted by executive acts and messages, and by definite propositions in legislation. This is especially true of what is popularly known as the tariff question. The issue can not

now be obscured. It is not a contest between schedules, but between wide-apart principles. The foreign competitors for our market have, with quick instinct, seen how one issue of this contest may bring them advantage, and our own people are not so dull as to miss or neglect the grave interests that are involved for them. The assault upon our protective system is open and defiant. Protection is assailed as unconstitutional in law, or as vicious in principle, and those who hold such views sincerely can not stop short of an absolute elimination from our tariff laws of the principle of protection. The Mills bill is only a step, but it is toward an object that the leaders of Democratic thought and legislation have clearly in mind. The important question is not so much the length of the step as the direction of it. Judged by the executive message of December last, by the Mills bill, by the debates in Congress, and by the St. Louis platform, the Democratic party will, if supported by the country, place the tariff laws upon a purely revenue basis. This is practical free trade—free trade in the English sense. The legend upon the banner may not be "Free Trade"—it may be the more obscure motto, "Tariff Reform;" but neither the banner nor the inscription is conclusive, or, indeed, very important. The assault itself is the important fact.

Those who teach that the import duty upon foreign goods sold in our market is paid by the consumer, and that the price of the domestic competing article is enhanced to the amount of the duty on the imported article—that every million of dollars collected for customs duties represents many millions more which do not reach the treasury, but are paid by our citizens as the increased cost of domestic productions resulting from the tariff laws—may not intend to discredit in the minds of others our system of levying duties on competing foreign products, but it is clearly already discredited in their own. We can not doubt, without impugning their integrity, that if free to act upon their convictions they would so revise our laws as to lay the burden of the customs revenue upon articles that are not produced in this country, and to place upon the free list all competing foreign products. I do not stop to refute this theory as to the effect of our tariff duties. Those who advance it are students of maxims and not of the markets. They may be safely allowed to call their project "tariff reform," if the people understand that in the end the argument compels free trade in all competing products. This end may not be reached abruptly, and its approach may be accompanied with some expressions of sympathy for our protected industries and our working people, but it will certainly come if these early steps do not arouse the people to effective resistance.

The Republican party holds that a protective tariff is constitutional, wholesome, and necessary. We do not offer a fixed schedule, but a principle. We will revise the schedule, modify rates, but always with an intelligent provision as to the effect upon domestic productions and the wages of our working people. We believe it to be one of the worthy objects of tariff legislation to preserve the American market for American producers, and to maintain the American scale of wages by adequate discriminative duties upon foreign competing products. The effect of lower rates and larger importations upon the public revenue is contingent and doubtful, but not so the effect upon American production and American wages. Less work and lower wages must be accepted as the inevitable result of the increased offering of foreign goods in our market. By way of recompense for this reduction in his wages, and the loss of the American market, it is suggested that the diminished wages of the working man will have an undiminished purchasing power, and that he will be able to make up for the loss of the home market by an enlarged foreign market. Our workmen have the settlement of the question in their own hands. They now obtain higher wages and live more comfortably than those of any other country. They will make choice of the substantial advantages they have in hand and the deceptive promises and forecasts of these theorizing reformers. They will decide for themselves and for their country whether the protective system shall be continued or destroyed.

The fact of a Treasury surplus, the amount of which is variously stated, has directed public attention to a consideration of the methods by which the national income may best be reduced to the level of wise and necessary expenditure. This condition has been seized upon by those who are hostile to protective customs duties as an advantageous base of attack upon our tariff laws. They have magnified and nursed the surplus, which they affect to deprecate, seemingly for the purpose of exaggerating the evil, in order to reconcile the people to the extreme remedy they propose. A proper reduction of the revenues does not necessitate, and should not suggest, the abandonment or impairment of the protective system. The methods suggested by our convention will not need to be exhausted in order to effect the necessary reduction. We are not likely to be called upon, I think, to make a present choice between the surrender of the protective system and the entire repeal of the internal taxes. Such a contingency, in view of the present relation of expenditures to revenues, is remote. The inspection and regulation of the manufacture and sale of oleomargarine is important, and the revenue derived from it is not so great that the repeal of the

law need enter into any plan of revenue reduction. The surplus now in the Treasury should be used in the purchase of bonds. The law authorizes this use of it, and if it is not needed for current or deficiency appropriations, the people, and not the banks in which it has been deposited, should have the advantage of its use by stopping interest upon the public debt. At least those who needlessly hoard it should not be allowed to use the fear of a monetary stringency, thus produced, to coerce public sentiment upon other questions.

Closely connected with the subject of the tariff is that of the importation of foreign laborers under contracts of service to be performed here. The law now in force prohibiting such contracts received my cordial support in the Senate, and such amendments as may be found necessary effectively to deliver our working men and women from this most inequitable form of competition will have my sincere advocacy. Legislation prohibiting the importation of laborers under contract to serve here will, however, afford very inadequate relief to our working people if the system of protective duties is broken down. If the products of American shops must compete in the American market, without favoring duties, with the products of cheap foreign labor the effect will be different, if at all, only in degree, whether the cheap laborer is across the street or over the sea. Such competition will soon reduce wages here to the level of those abroad, and when that condition is reached we will not need any laws forbidding the importation of laborer unders contract — they will have no inducement to come, and the employer no inducement to send for them.

In the earlier years of our history public agencies to promote immigration were common. The pioneer wanted a neighbor with more friendly instincts than the Indian. Labor was scarce and fully employed. But the day of the immigration bureau has gone by. While our doors will continue open to proper immigration, we do not need to issue special invitations to the inhabitants of other countries to come to our shores or to share our citizenship. Indeed, the necessity of some inspection and limitation is obvious. We should resolutely refuse to permit foreign governments to send their paupers and criminals to our ports. We are also clearly under a duty to defend our civilization by excluding alien races whose ultimate assimilation with our people is neither possible nor desirable. The family has been the nucleus of our best immigration, and the home the most potent assimilating force in our civilization.

The objections to Chinese immigration are distinctive and conclusive, and are now so generally accepted as such that the question has passed entirely beyond the stage of argument. The laws

relating to this subject would, if I should be charged with their enforcement, be faithfully executed. Such amendments or further legislation as may be necessary and proper to prevent evasions of the laws and to stop further Chinese immigration would also meet my approval. The expression of the convention upon this subject is in entire harmony with my views.

Our civil compact is a government by majorities, and the law loses its sanction and the magistrate our respect when this compact is broken. The evil results of election frauds do not expend themselves upon the voters who are robbed of their rightful influence in public affairs. The individual or community or party that practices or connives at election frauds has suffered irreparable injury, and will sooner or later realize that to exchange the American system of majority rule for minority control is not only unlawful and unpatriotic, but very unsafe for those who promote it. The disfranchisement of a single legal elector by fraud or intimidation is a crime too grave to be regarded lightly. The right of every qualified elector to cast one free ballot and to have it honestly counted must not be questioned. Every constitutional power should be used to make this right secure and to punish frauds upon the ballot.

Our colored people do not ask special legislation in their interest, but only to be made secure in the common rights of American citizenship. They will, however, naturally mistrust the sincerity of those party leaders who appeal to their race for support only in those localities where the suffrage is free and election results doubtful, and compass their disfranchisement where their votes would be controlling and their choice can not be coerced.

The nation, not less than the States, is dependent for prosperity and security upon the intelligence and morality of the people. This common interest very early suggested national aid in the establishment and endowment of schools and colleges in the new States. There is, I believe, a present exigency that calls for still more liberal and direct appropriations in aid of common-school education in the States.

The territorial form of government is a temporary expedient, not a permanent civil condition. It is adapted to the exigency that suggested it, but becomes inadequate, and even oppressive, when applied to fixed and populous communities. Several Territories are well able to bear the burdens and discharge the duties of free commonwealths in the American Union. To exclude them is to deny the just rights of their people, and may well excite their indignant protest. No question of the political preference of the people of a Territory should close against them the hospitable door which

has opened to two-thirds of the existing States. But admissions should be resolutely refused to any Territory a majority of whose people cherish institutions that are repugnant to our civilization or inconsistent with a republican form of government.

The declaration of the convention against "all combinations of capital, organized in trusts or otherwise, to control arbitrarily the condition of trade among our citizens," is in harmony with the views entertained and publicly expressed by me long before the assembling of the convention. Ordinarily, capital shares the losses of idleness with labor; but under the operation of the trust, in some of its forms, the wage-worker alone suffers loss, while idle capital receives its dividends from a trust fund. Producers who refuse to join the combination are destroyed, and competition as an element of prices is eliminated. It can not be doubted that the legislative authority should and will find a method of dealing fairly and effectively with those and other abuses connected with this subject.

It can hardly be necessary for me to say that I am heartily in sympathy with the declaration of the convention upon the subject of pensions to our soldiers and sailors. What they gave and what they suffered I had some opportunity to observe, and, in a small measure, to experience. They gave ungrudgingly; it was not a trade, but an offering. The measure was heaped up, running over. What they achieved only a distant generation can adequately tell. Without attempting to discuss particular propositions, I may add that measures in behalf of the surviving veterans of the war and of the families of their dead comrades should be conceived and executed in a spirit of justice and of the most grateful liberality, and that, in the competition for civil appointments, honorable military service should have appropriate recognition.

The law regulating appointments to the classified civil service received my support in the Senate in the belief that it opened the way to a much-needed reform. I still think so, and, therefore, cordially approve the clear and forcible expression of the convention upon this subject. The law should have the aid of a friendly interpretation and be faithfully and vigorously enforced. All appointments under it should be absolutely free from partisan considerations and influence. Some extensions of the classified list are practicable and desirable, and further legislation extending the reform to other branches of the service to which it is applicable would receive my approval. In appointment to every grade and department, fitness, and not party service, should be the essential and discriminating test, and fidelity and efficiency the only sure tenure of office. Only the interests of the public service should

suggest removals from office. I know the practical difficulties attending the attempt to apply the spirit of the civil-service rules to all appointments and removals. It will, however, be my sincere purpose, if elected, to advance the reform.

I notice with pleasure that the convention did not omit to express its solicitude for the promotion of virtue and temperance among our people. The Republican party has always been friendly to everything that tended to make the home life of our people free, pure, and prosperous, and will in the future be true to its history in this respect.

Our relations with foreign powers should be characterized by friendliness and respect. The right of our people and of our ships to hospitable treatment should be insisted upon with dignity and firmness. Our nation is too great, both in material strength and in moral power, to indulge in bluster or to be suspected of timorousness. Vacillation and inconsistency are as incompatible with successful diplomacy as they are with the national dignity. We should especially cultivate and extend our diplomatic and commercial relations with the Central and South American states. Our fisheries should be fostered and protected. The hardships and risks that are the necessary incidents of the business should not be increased by an inhospitable exclusion from the near-lying ports. The resources of a firm, dignified, and consistent diplomacy are undoubtedly equal to the prompt and peaceful solution of the difficulties that now exist. Our neighbors will surely not expect in our ports a commercial hospitality they deny to us in theirs.

I can not extend this letter by a special reference to other subjects upon which the convention gave an expression.

In respect to them, as well as to those I have noticed, I am in entire agreement with the declarations of the convention. The resolutions relating to the coinage, to the rebuilding of the Navy, to coast defenses, and to public lands, express conclusions to all of which I gave my support in the Senate.

Inviting a calm and thoughtful consideration of these public questions, we submit them to the people. Their intelligent patriotism and the good Providence that made and has kept us a nation will lead them to wise and safe conclusions.

Very respectfully, your obedient servant,

BENJ. HARRISON.

INDIANAPOLIS, IND.,

*September 11, 1888.*



## II.

### ACCEPTING SECOND NOMINATION, 1892.

HON. WILLIAM MCKINLEY, JR., AND OTHERS,

*Committee, etc.:*

GENTLEMEN: I now avail myself of the first period of relief from public duties to respond to the notification which you brought to me on June 20 of my nomination for the office of President of the United States by the Republican national convention recently held at Minneapolis. I accept the nomination, and am grateful for the approval expressed by the convention of the acts of the administration.

I have endeavored without wavering or weariness, so far as the direction of public affairs was committed to me, to carry out the pledges made to the people in 1888. If the policies of the administration have not been distinctively and progressively American and Republican policies, the fault has not been in the purpose, but in the execution. I shall speak frankly of the legislation of Congress and of the work of the executive departments, for the credit of any successes that have been attained is in such measure due to others—Senators and Representatives and to the efficient heads of the several executive departments—that I may do so without impropriety.

A vote of want of confidence is asked by our adversaries, and this challenge to a review of what has been done we promptly and gladly accept.

The great work of the Fifty-first Congress has been subjected to the revision of a Democratic House of Representatives and the acts of the executive department to its scrutiny and investigation. A Democratic national administration was succeeded by a Republican administration, and the freshness of the events gives unusual facilities for fair comparison and judgment. There has seldom been a time, I think, when a change from the declared policies of the Republican party to the declared policies of the Democratic party involved such serious results to the business interests of the country. A brief review of what has been done and of what the Democratic party proposes to undo will justify this opinion.

The Republican party, during the civil war, devised a national currency, consisting of United States notes, issued and redeemable by the Government, and of national-bank notes, based upon the security of United States bonds. A tax was levied upon the issues

of State banks, and the intended result, that all such issues should be withdrawn, was realized. There are men among us now who never saw a State-bank note.

The notes furnished directly or indirectly by the United States have been the only and the safe and acceptable paper currency of the people. Bank failures have brought no fright, delay, or loss to the bill-holders. The note of an insolvent bank is as good and as current as a Treasury note, for the credit of the United States is behind it. Our money is all national money—I might almost say international, for these bills are not only equally and indiscriminately accepted at par in all the States, but in some foreign countries.

The Democratic party, if intrusted with the control of the Government, is now pledged to repeal the tax on State-bank issues, with a view to putting into circulation again, under such diverse legislation as the States may adopt, a flood of local bank issues. Only those who, in the years before the war, experienced the inconvenience and losses attendant upon the use of such money, can appreciate what a return to that system involves.

The denomination of a bill was then often no indication of its value. The bank detector of yesterday was not a safe guide to-day as to credit or values. Merchants deposited several times during the day, lest the hour of bank closing should show a depreciation of the money taken in the morning. The traveler could not use in a journey to the East the issues of the most solvent banks of the West; and in consequence a money-changer's office was the familiar neighbor of the ticket office and the lunch counter. The farmer and the laborer found the money received for their products or their labor depreciated when they came to make their purchases, and the whole business of the country was hindered and burdened.

Changes may become necessary, but a national system of currency, safe and acceptable throughout the whole country, is the good fruit of bitter experiences, and I am sure our people will not consent to the reactionary proposal made by the Democratic party.

Few subjects have elicited more discussion or excited more general interest than that of a recovery by the United States of its appropriate share of the ocean carrying trade. This subject touches not only our pockets but our national pride. Practically all the freights for transporting to Europe the enormous annual supplies of provisions furnished by this country and for the large return of manufactured products have for many years been paid to foreign owners.

Thousands of immigrants annually seeking homes under our flag have been denied the sight of it until they entered Sandy Hook,

while increasing thousands of American citizens, bent on European travel, have each year stepped into a foreign jurisdiction at the New York docks. The merchandise balance of trade which the Treasury books show is largely reduced by the annual tribute which we pay for freight and passage moneys.

The great ships—the fastest upon the sea—which are now in peace profiting by our trade, are, in a secondary sense, warships of their respective governments, and in time of war would, under existing contracts with those governments, speedily take on the guns for which their decks are already prepared and enter with terrible efficiency upon the work of destroying our commerce. The undisputed fact is that the great steamship lines of Europe were built up and are now in part sustained by direct or indirect government aid, the latter taking the form of liberal pay for carrying the mails or of an annual bonus given in consideration of agreements to construct the ships so as to adapt them for carrying an armament and to turn them over to the government on demand upon specific terms.

It was plain to every intelligent American that if the United States would have such lines a similar policy must be entered upon. The Fifty-first Congress enacted such a law, and under its beneficent influence sixteen American steamships of an aggregate tonnage of 57,400 tons and costing \$7,400,000 have been built or contracted to be built in American shipyards.

In addition to this it is now practically certain that we shall soon have under the American flag one of the finest steamship lines sailing out of New York for any European port. This contract will result in the construction in American yards of four new passenger steamships of 10,000 tons each, costing about \$8,000,000, and will add to our naval reserve six steamships, the fastest upon the sea.

A special interest has been taken by me in the establishment of lines from our South Atlantic and Gulf ports; and, though my expectations have not yet been realized, attention has been called to the advantages possessed by these ports, and when their people are more fully alive to their interests, I do not doubt that they will be able to secure the capital needed to enable them to profit by their great natural advantages.

The Democratic party has found no place in its platform for any reference to this subject, and has shown its hostility to the general policy by refusing to expend an appropriation made during the last administration for ocean mail contracts with American lines.

The patriotic people, the workmen in our shops, the capitalists seeking new enterprises, must decide whether the great ships owned by Americans which have sought American registry shall again

humbly ask a place in the English naval reserve; the great ships now on the designers' tables go to foreign shops for construction, and the United States lose the now brightening opportunity of recovering a place commensurate with its wealth, the skill of its constructors and the courage of its sailors, in the carrying trade of all the seas.

Another related measure, as furnishing an increased ocean traffic for our ships, and of great and permanent benefit to the farmers and manufacturers as well, is the reciprocity policy declared by section 3 of the tariff act of 1890, and now in practical operation with five of the nations of Central and South America, San Domingo, the Spanish and British West India Islands, and with Germany and Austria, under special trade arrangements with each.

The removal of the duty upon sugar and the continuance of coffee and tea upon the free list, while giving great relief to our people by cheapening articles used increasingly in every household, was also of such enormous advantage to the countries exporting these articles as to suggest that in consideration thereof reciprocal favors should be shown in their tariffs to articles exported by us to their markets.

Great credit is due to Mr. Blaine for the vigor with which he pressed this view upon the country. We have only begun to realize the benefit of these trade arrangements. The work of creating new agencies and of adapting our goods to new markets has necessarily taken time, but the results already attained are such, I am sure, as to establish in popular favor the policy of reciprocal trade, based upon the free importation of such articles as do not injuriously compete with the products of our own farms, mines, or factories, in exchange for the free or favored introduction of our products into other countries.

The obvious efficacy of this policy in increasing the foreign trade of the United States at once attracted the alarmed attention of European trade journals and boards of trade. The British board of trade has presented to that government a memorial asking for the appointment of a commission to consider the best means of counteracting what is called "the commercial crusade of the United States."

At a meeting held in March last of the Associated Chambers of Commerce of Great Britain, the president reported that the exports from Great Britain to the Latin-American countries during the last year had decreased \$23,750,000, and that this was not due to temporary causes, but directly to the reciprocity policy of the United States.

Germany and France have also shown their startled appreciation of the fact that a new and vigorous contestant has appeared in the battle of the markets and has already secured important advantages.

The most convincing evidence of the tremendous commercial strength of our position is found in the fact that Great Britain and Spain have found it necessary to make reciprocal trade agreements with us for their West India colonies, and that Germany and Austria have given us important concessions in exchange for the continued free importation of their beet sugar.

A few details only as to the increase of our trade can be given here. Taking all the countries with which such arrangements have been made, our trade to June 30, 1892, had increased 23.78 per cent; with Brazil the increase was nearly 11 per cent; with Cuba, during the first ten months, our exports increased \$5,702,193, or 54.86 per cent, and with Porto Rico \$590,959, or 34 per cent. The liberal participation of our farmers in the benefits of this policy is shown by the following report from our consul-general at Havana, under date of July 26 last:

During the first half year of 1891 Havana received 140,056 bags of flour from Spain and other ports of the island about an equal amount, or, approximately, 280,112 bags.

During the same period Havana received 13,976 bags of American flour and other ports approximately an equal amount, making about 28,000 bags.

But for the first half of this year Spain has sent less than 1,000 bags to the whole island, and the United States has sent to Havana alone 168,487 bags and about an equal amount to other ports of the island, making, approximately, 337,000 for the first half of 1892.

Partly by reason of the reciprocal trade agreement, but more largely by reason of the removal of the sanitary restrictions upon American pork, our export of pork products to Germany increased during the ten months ending June 30 last \$2,025,074, or about 32 per cent.

The British Trade Journal, of London, in a recent issue, speaking of the increase of American coal exports and of the falling off of the English coal exports to Cuba, says:

It is another case of American competition. The United States now supply Cuba with about 150,000 tons of coal annually, and there is every prospect of this trade increasing as the forests of the island become exhausted and the use of steam machinery on the sugar estates is developed. Alabama coal, especially, is securing a reputation in the Spanish West Indies, and the river and rail improvements of the Southern States will undoubtedly create an important Gulf trade.

The new reciprocity policy by which the United States are enabled to import Cuban sugar will, of course, assist the American coal exporters even more effectively than the new lines of railway.

The Democratic platform promises a repeal of the tariff law containing this provision, and especially denounces as a sham recipro-

city that section of the law under which these trade arrangements have been made. If no other issue were involved in the campaign this alone would give it momentous importance.

Are the farmers of the great grain growing States willing to surrender these new, large, and increasing markets for their surplus? Are we to have nothing in exchange for the free importation of sugar and coffee and at the same time to destroy the sugar planters of the South and the beet-sugar industry of the Northwest and of the Pacific coast, or are we to have the taxed sugar and coffee, which a "tariff for revenue only" necessarily involves, with the added loss of the new markets which have been opened?

As I have shown, our own commercial rivals in Europe do not regard this reciprocity policy as a "sham," but as a serious threat to a trade supremacy they have long enjoyed. They would rejoice—and if prudence did not restrain would illuminate their depressed manufacturing cities—over the news that the United States had abandoned its system of protection and reciprocity. They see very clearly that restriction of American production and trade and a corresponding increase of European production and trade would follow, and I will not believe that what is so plain to them can be hidden from our own people.

The declaration of the platform in favor of "the American doctrine of protection" meets my most hearty approval. The convention did not adopt a schedule, but a principle that is to control all tariff schedules. There may be differences of opinion among protectionists as to the rate upon particular articles necessary to effect an equalization between wages abroad and at home. In some not remote national campaigns the issue has been, or, more correctly, has been made to appear to be between a high and a low protective tariff, both parties expressing some solicitous regard for the wages of our working people and for the prosperity of our domestic industries.

But, under a more courageous leadership, the Democratic party has now practically declared that if given power it will enact a tariff law without any regard to its effect upon wages or upon the capital invested in our great industries. The majority report of the committee on platform to the Democratic national convention at Chicago contained this clause:

That when custom-house taxation is levied upon articles of any kind produced in this country the difference between the cost of labor here and labor abroad, when such a difference exists, fully measures any possible benefits to labor, and the enormous additional impositions of the existing tariff fall with crushing force upon our farmers and working men.

Here we have a distinct admission of the Republican contention that American workmen are advantaged by a tariff rate equal to the difference between home and foreign wages, and a declaration only against the alleged "additional impositions" of the existing tariff law.

Again, this majority report further declared :

But in making a reduction in taxes, it is not proposed to injure any domestic industries, but rather to promote their healthy growth. \* \* \* Moreover, many industries have come to rely upon legislation for successful continuance, so that any change of law must be at every step regardful of the labor and the capital thus involved.

Here we have an admission that many of our industries depend upon protective duties "for their successful continuance," and a declaration that tariff changes should be regardful of the workmen in such industries and of the invested capital.

The overwhelming rejection of these propositions, which had before received the sanction of Democratic national conventions, was not more indicative of the new and more courageous leadership to which the party has now committed itself than the substitute which was adopted. This substitute declares that protective duties are unconstitutional—high protection, low protection—all unconstitutional.

A Democratic Congress holding this view can not enact, nor a Democratic President approve, any tariff schedule the purpose or effect of which is to limit importations or to give any advantage to an American workman or producer. A bounty might, I judge, be given to the importer under this view of the Constitution, in order to increase importations, and so the revenue for "revenue only" is the limitation. Reciprocity, of course, falls under this denunciation, for its object and effect are not revenue, but the promotion of commercial exchanges, the profits of which go wholly to our producers.

This destructive, un-American doctrine was not held or taught by the historic Democratic statesmen whose fame as American patriots has reached this generation—certainly not by Jefferson or Jackson. This mad crusade against American shops, the bitter epithets applied to American manufacturers, the persistent disbelief of every report of the opening of a tin-plate mill or of an increase of our foreign trade by reciprocity are as surprising as they are discreditable.

There is not a thoughtful business man in the country who does not know that the enactment into law of the declaration of the Chicago convention upon the subject of the tariff would at once plunge the country into a business convulsion such as it has never

seen; and there is not a thoughtful workingman who does not know that it would at once enormously reduce the amount of work to be done in this country by the increase of importations that would follow and necessitate a reduction of his wages to the European standard.

If any one suggests that this radical policy will not be executed if the Democratic party attains power, what shall be thought of a party that is capable of thus trifling with great interests? The threat of such legislation would be only less hurtful than the fact.

A distinguished Democrat rightly described this movement as a challenge to the protected industries to a fight of extermination, and another such rightly expressed the logic of the situation when he interpreted the Chicago platform to be an invitation to all Democrats holding even the most moderate protection views to go into the Republican party.

And now a few words in regard to the existing tariff law. We are fortunately able to judge of its influence upon production and prices by the market reports. The day of the prophet of calamity has been succeeded by that of the trade reporter.

An examination into the effect of the law upon the prices of protected products and of the cost of such articles as enter into the living of people of small means has been made by a Senate committee composed of leading Senators of both parties, with the aid of the best statisticians, and the report, signed by all the members of the committee, has been given to the public. No such wide and careful inquiry has ever before been made. These facts appear from the report:

First. The cost of articles entering into the use of those earning less than \$1,000 per annum has decreased up to May, 1892, 3.4 per cent, while in farm products there has been an increase in prices, owing in part to an increased foreign demand and the opening of new markets.

In England, during the same period, the cost of living increased 1.9 per cent. Tested by their power to purchase articles of necessity the earnings of our working people have never been as great as they are now.

Second. There has been an average advance in the rate of wages of .75 of 1 per cent.

Third. There has been an advance in the price of all farm products of 18.67 per cent, and of all cereals 33.59 per cent.

The ninth annual report of the chief of the bureau of labor statistics of the State of New York, a Democratic officer, very recently issued, strongly corroborates as to that State the facts found



by the Senate committee. His extended inquiry shows that in the year immediately following the passage of the tariff act of 1890 the aggregate sum paid in wages in that State was \$6,377,925 in excess, and the aggregate production \$31,315,130 in excess of the preceding year.

In view of this showing of an increase in wages, of a reduction in the cost of articles of common necessity and of a marked advance in the prices of agricultural products, it is plain that this tariff law has not imposed burdens, but has conferred benefits upon the farmer and the workingman.

Some special effects of the act should be noticed. It was a courageous attempt to rid our people of a long-maintained foreign monopoly in the production of tin plate, pearl buttons, silk plush, linens, lace, etc. Once or twice in our history the production of tin plate had been attempted, and the prices obtained by the Welsh makers would have enabled our makers to produce it at a profit. But the Welsh makers at once cut prices to a point that drove the American beginners out of the business, and, when this was accomplished, again made their own prices.

A correspondent of the *Industrial World*, the official organ of the Welsh tin-plate workers, published at Swansea, in the issue of June 10, 1892, advises a new trial of these methods. He says :

Do not be deceived. The victory of the Republicans at the polls means the retention of the McKinley bill and means the rapidly accruing loss of the 80 per cent of the export American trade. Had there been no Democratic victory in 1890 the spread of the tin-plate manufacture in the United States would have been both rapid and bona fide. It is not yet too late to do something to reduce the price of plates. Put them down to 11 shillings per box of 100, 14 by 20, full weight basis. Let the workmen take half pay for a few months and turn out more. Then let the masters forego profits for the same time.

And again that paper says :

It is clearly the interest of both (employer and workmen) to produce tin plates, tariff or no tariff, at a price that will drive all competitors from the field.

But, in spite of the doubts raised by the elections of 1890 and of the machinations of foreign producers to maintain their monopoly, the tin-plate industry has been established in the United States, and the alliance between the Welsh producers and the Democratic party for its destruction will not succeed.

The official returns to the Treasury Department of the production of tin and terne plates in the United States during the last fiscal year show a total production of 13,240,830 pounds, and a comparison of the first quarter, 826,922 pounds, with the last, 8,000,000 pounds, shows the rapid development of the industry. Over 5,000,000

pounds during the last quarter were made from American black plates, the remainder from foreign plates.

Mr. Ayer, the Treasury agent in charge, estimates, as the result of careful inquiry, that the production of the current year will be 100,000,000 pounds, and that by the end of the year our production will be at the rate of 200,000,000 pounds per annum.

Another industry that has been practically created by the McKinley bill is the making of pearl buttons. Few articles coming to us from abroad were so distinctly the product of starvation wages.

But without unduly extending this letter I can not follow in detail the influences of the tariff law of 1890. It has transplanted several important industries and established them here, and has revived or enlarged all others. The act gives to the miners protection against foreign silver-bearing lead ores, the free introduction of which threatened the great mining industries of the Rocky Mountain States; and to the wool-growers protection for their fleeces and flocks, which has saved them from a further and disastrous decline. The House of Representatives, at its last session, passed bills placing these ores and wool upon the free list. The people of the West will know how destructive to their prosperity these measures would be.

This tariff law has given employment to many thousands of American men and women and will each year give employment to increasing thousands. Its repeal would throw thousands out of employment and give work to others only at reduced wages. The appeals of the free trader to the workingman are largely addressed to his prejudices or to his passions and not infrequently are pronouncedly communistic. The new Democratic leadership rages at the employer and seeks to communicate his rage to the employé. I greatly regret that all employers of labor are not just and considerate, and that capital sometimes takes too large a share of the profits. But I do not see that these evils will be ameliorated by a tariff policy, the first necessary effect of which is a severe wage cut, and the second a large diminution of the aggregate amount of work to be done in this country.

If the injustice of his employer tempts the workman to strike back he should be very sure that his blow does not fall upon his own head or upon his wife and children. The workmen in our great industries are as a body remarkably intelligent and are lovers of home and country. They may be roused by injustice, or what seems to them to be such, or be led for the moment by others into acts of passion; but they will settle the tariff contest in the calm light of their November firesides and with sole reference to the

prosperity of the country of which they are citizens and of the homes they have founded for their wives and children.

No intelligent advocate of a protective tariff claims that it is able of itself to maintain a uniform rate of wages without regard to fluctuations in the supply of, and demand for the products of labor. But it is confidently claimed that protective duties strongly tend to hold up wages, and are the only barrier against a reduction to the European scale.

The Southern States have had a liberal participation in the benefits of the tariff law, and though their representatives have generally opposed the protection policy, I rejoice that their sugar, rice, coal, ores, iron, fruits, cotton cloths, and other products have not been left to the fate which the votes of their representatives would have brought upon them.

In the construction of the Nicaragua Canal, in the new trade with South and Central America, in the establishment of American steamship lines, these States have also special interests, and all these interests will not always consent to be without representation at Washington.

Shrewdly, but not quite fairly, our adversaries speak only of the increased duty imposed upon tin, pearl buttons and other articles by the McKinley bill, and omit altogether any reference to the great and beneficial enlargement of the free list. During the last fiscal year \$458,000,772 worth of merchandise, or 55.35 per cent of our total importations, came in free (the largest per centage in our history); while in 1889 the per cent of free importations was only 34.42 per cent.

The placing of sugar upon the free list has saved to the consumer in duties in fifteen months, after paying the bounties provided for, \$87,000,000. This relief has been substantially felt in every household upon every Saturday's purchase of the workingman.

One of the favorite arguments against a protective tariff is that it shuts us out from a participation in what is called with swelling emphasis "the markets of the world." If this view is not a false one, how does it happen that our commercial competitors are not able to bear with more serenity our supposed surrender to them of the "markets of the world?" And how does it happen that the partial loss of our market closes foreign tin-plate mills and plush factories that still have all other markets?

Our natural advantages, our protective tariff, and the reciprocity policy make it possible for us to have a large participation in the "markets of the world," without opening our own to a competition that would destroy the comfort and independence of our people.

The resolution of the convention in favor of bimetallism declares, I think, the true and necessary conditions of a movement that has, upon these lines, my cordial adherence and support. I am thoroughly convinced that the free coinage of silver at such a ratio to gold as will maintain the equality in their commercial uses of the two coined dollars would conduce to the prosperity of all the great producing and commercial nations of the world.

The one essential condition is that these dollars shall have and retain an equal acceptability and value in all commercial transactions. They are not only a medium of exchange, but a measure of values, and when two unequal measures are called in law by the same name commerce is unsettled and confused and the unwary and ignorant are cheated. Dollars of unequal commercial value will not circulate together. The better dollar is withdrawn and becomes merchandise.

The true interest of all our people, and especially of the farmers and working people, who can not closely observe the money market, is that every dollar, paper or coin, issued or authorized by the Government, shall at all times and in all its uses be the exact equivalent, not only in debt-paying, but in purchasing power of any other dollar.

I am quite sure that if we should now act upon this subject independently of other nations we would greatly promote their interests and injure our own. The monetary conditions in Europe within the last two years have, I think, tended very much to develop a sentiment in favor of a larger use of silver, and I was much pleased and encouraged by the cordiality, promptness, and unanimity with which the invitation of this Government for an international conference upon this subject was accepted by all the powers. We may not only hope for, but expect highly beneficial results from this conference, which will now soon assemble. When the result of the conference is known we shall then be able intelligently to readjust our financial legislation to any new conditions.

In my last annual message to Congress I said :

I must yet entertain the hope that it is possible to secure a calm, patriotic consideration of such Constitutional or statutory changes as may be necessary to secure the choice of the officers of the Government to the people by fair apportionments and free elections. I believe it would be possible to constitute a commission, nonpartisan in its membership and composed of patriotic, wise, and impartial men, to whom a consideration of the questions of the evils connected with our elections systems and methods might be committed with a good prospect of securing unanimity in some plan for removing or mitigating those evils.

The Constitution would permit the selection of the commission to be vested in the Supreme Court if that method would give the best guaranty of impartiality. This commission should be charged with the duty of inquiring into the whole subject of the law

of elections as related to the choice of officers of the National Government, with a view to securing to every elector a free and unmolested exercise of the suffrage and as near an approach to an equality of value in each ballot cast as is attainable. \* \* \* The demand that the limitations of suffrage shall be found in the law, and only there, is a just demand, and no just man should resent or resist it.

It seemed to me that an appeal to our people to consider the question of readjusting our legislation upon absolutely fair non-partisan lines might find some effective response. Many times I have had occasion to say that laws and election methods designed to give unfair advantages to the party making them would some time be used to perpetuate in power a faction of a party against the will of a majority of the people.

Of this we seem to have an illustration in the recent State election in Alabama. There was no Republican ticket in the field. The contest was between white Democrats. The Kolb party say they were refused the representation guaranteed by law upon the election boards, and that when the courts by mandamus attempted to right this wrong, an appeal that could not be heard until after the election made the writs ineffectual. Ballot boxes were thrown out for alleged irregularities, or destroyed, and it is asserted on behalf of one-half, at least, of the white voters of Alabama that the officers to whom certificates have been given were not honestly elected.

There is no security for the personal or political rights of any man in a community where any other man is deprived of his personal or political rights. The power of the States over the question of the qualification of electors is ample to protect them against the dangers of an ignorant or depraved suffrage, and the demand that every man found to be qualified under the law shall be made secure in the right to cast a free ballot, and to have that ballot honestly counted, can not be abated.

Our old Republican battle-cry, "A free ballot and a fair count," comes back to us not only from Alabama but from other States, and from men who, differing with us widely in opinions, have come to see that parties and political debate are but a mockery if, when the debate is ended, the judgment of honest majorities is to be reversed by ballot-box frauds and tally-sheet manipulations in the interest of the party or party faction in power.

These new political movements in the States and the recent decisions of some of the State courts against unfair apportionment laws, encourage the hope that the arbitrary and partisan election laws and practices which have prevailed may be corrected by the States, the laws made equal and nonpartisan, and the elections free and honest. The Republican party would rejoice at such a solution,

as a healthy and patriotic local sentiment is the best assurance of free and honest elections.

I shall again urge upon Congress that provision be made for the appointment of a nonpartisan commission to consider the subject of apportionments and elections, in their relation to the choice of Federal officers.

The civil-service system has been extended and law enforced with vigor and impartiality. There has been no partisan juggling with the law in any of the departments or bureaus, as had before happened, but appointments to the classified service have been made impartially from the eligible lists. The system now in force in all the departments has for the first time placed promotions strictly upon the basis of merit, as ascertained by a daily record, and the efficiency of the force thereby greatly increased.

The approval so heartily given by the convention to all those agencies which contribute to the education of the children of the land, was worthily bestowed and meets my hearty approval, as does also the declaration as to liberty of thought and conscience, and the separation of church and state.

The safety of the Republic is an intelligent citizenship, and the increased interest manifested in the States in education, the cheerfulness with which the necessary taxes are paid by all classes, and the renewed interest manifested by the children in the national flag, are hopeful indications that the coming generation will direct public affairs with increased prudence and patriotism.

Our interest in free public schools open to all children of suitable age is supreme, and our care for them will be jealous and constant. The public school system, however, was not intended to restrain the natural right of the parent, after contributing to the public school fund, to choose other educational agencies for his children.

I favored aid by the General Government to the public schools, with a special view to the necessities of some of the Southern States. But it is gratifying to notice that many of these States are, with commendable liberality, developing their school systems and increasing their school revenues, to the great advantage of the children of both races.

The considerate attention of the farmers of the whole country is invited to the work done through the State and Agricultural Departments in the interest of agriculture. Our pork products had for ten years been not only excluded by the great continental nations of Europe, but their value discredited by the reasons given for this exclusion. All previous efforts to secure the removal of these restrictions had failed, but the wise legislation of the Fifty-

first Congress, providing for the inspection and official certification of our meats, and giving to the President power to forbid the introduction into this country of selected products of such countries as should continue to refuse our inspected meats, enabled us to open all the markets of Europe to our pork products. The result has been not only to sustain prices by providing new markets for our surplus, but to add fifty cents per one hundred pounds to the market value of the inspected meats.

Under the reciprocity agreements special favors have been secured for agricultural products, and our exports of such products have been greatly increased, with a sure prospect of a further and rapid increase. The Agricultural Department has maintained in Europe an agent whose special duty it is to introduce there the various preparations of corn as articles of food, and his work has been very successful.

The Department has also sent skilled veterinarians to Liverpool to examine, in connection with the British veterinarians, the live cattle from the United States landed at that port, and the result, in connection with the sanitary methods adopted at home, has been that we hear no more about our cattle being infected with pleuropneumonia. A judicious system of quarantine lines has prevented the infection of Northern cattle with the Texas fever.

The tariff bill of 1890 gives better protection to farm products subject to foreign competition than they ever had before, and the home markets for such products have been enlarged by the establishment of new industries and the development of others.

We may confidently submit to the intelligent and candid judgment of the American farmer whether in any corresponding period so much has been done to promote his interests, and whether, in a continuance and extension of these methods, there is not a better prospect offered to him than in the invitation of the Democratic party to give our home market to foreign manufacturers and to abandon the reciprocity policy, and better also than the radical and untried methods of relief proposed by other parties which are soliciting his support.

I have often expressed my strong conviction of the value of the Nicaragua Ship Canal to our commerce and to our Navy. The project is not one of convenience, but of necessity. It is quite possible, I believe, if the United States will support the enterprise, to secure the speedy completion of the canal without taxing the Treasury for any direct contribution, and at the same time to secure to the United States that influence in its management which is imperative.

It has been the purpose of the administration to make its foreign policy not a matter of partisan politics, but of patriotism and national honor, and I have very great gratification in being able to state that the Democratic members of the Committees of Foreign Affairs responded in a true American spirit. I have not hesitated to consult freely with them about the most confidential and delicate affairs, and here frankly confess my obligation for needed coöperation. They did not regard a patient but firm insistence upon American rights and upon immunity from insult and injury for our citizens and sailors in foreign ports as a policy of "irritation and bluster." They did not believe, as some others seem to believe, that to be a Democrat one must take the foreign side of every international question if a Republican administration is conducting the American side. I do not believe that a tame submission to insult and outrage by any nation at the hands of another can ever form the basis of a lasting friendship; the necessary element of mutual respect will be wanting.

The Chilean incident, now so happily and honorably adjusted, will, I do not doubt, place our relations with that brave people upon a more friendly basis than ever before. This already appears in the agreement since negotiated by Mr. Egan for the settlement by a commission of the long unsettled claims between the two Governments. The work of Mr. Egan has been highly advantageous to the United States. The confidence which I refused to withdraw from him has been abundantly justified.

In our relations with the great European powers the rights of the United States and of our citizens have been insisted upon with firmness. The strength of our cause and not the strength of our adversary has given tone to our correspondence.

The Samoan question and the Bering Sea question, which came over from the preceding administration, have been the one settled and the other submitted to arbitration upon a fair basis.

Never before, I think, in a like period have so many important treaties and commercial agreements been concluded and never before, I am sure, have the honor and influence, national and commercial, of the United States been held in higher estimation in both hemispheres.

The Union soldiers and sailors are now veterans of time as well as of war. The parallels of age have approached close to the citadels of life and the end, for each, of a brave and honorable struggle is not remote. Increasing infirmity and years give the minor tones of sadness and pathos to the mighty appeal of service and suffering. The ear that does not listen with sympathy and the heart that does



not respond with generosity are the ear and heart of an alien and not of an American. Now, soon again the surviving veterans are to parade upon the great avenue of the national capital and every tribute of honor and love should attend the march. A comrade in the column of the victors' parade in 1865, I am not less a comrade now.

I have used every suitable occasion to urge upon the people of all sections the consideration that no good cause can be promoted upon the lines of lawlessness. Mobs do not discriminate, and the punishments inflicted by them have no repressive or salutary influence. On the contrary, they beget revenges and perpetuate feuds. It is especially the duty of the educated and influential to see that the weak and ignorant when accused of crime are fairly tried before lawful tribunals. The moral sentiment of the country should be aroused and brought to bear for the suppression of these offenses against the law and social order.

The necessity for a careful discrimination among the emigrants seeking our shores becomes every day more apparent. We do not want and should not receive those who by reason of bad character or habits are not wanted at home. The industrious and self-respecting, the lovers of law and liberty, should be discriminated from the pauper, the criminal and the anarchist, who come only to burden and disturb our communities. Every effort has been made to enforce the laws and some convictions have been secured under the contract-labor law.

The general condition of our country is one of great prosperity. The blessing of God has rested upon our fields and upon our people. The annual value of our foreign commerce has increased more than \$400,000,000 over the average for the preceding ten years, and more than \$210,000,000 over 1890, the last year unaffected by the new tariff. Our exports in 1892 exceeded those of 1890 by more than \$172,000,000, and the annual average for ten years by \$265,000,000. Our exports of breadstuffs increased over those of 1890 more than \$144,000,000; of provisions over \$4,000,000, and of manufactures over \$8,000,000. The merchandise balance of trade in our favor in 1892 was \$202,944,342.

No other nation can match the commercial progress which these figures disclose. Our compassion may well go out to those whose party necessities and habits still compel them to declare that our people are oppressed and our trade restricted by a protective tariff.

It is not possible for me to refer, even in the briefest way, to many of the topics presented in the resolutions adopted by the

convention. Upon all that have not been discussed I have before publicly expressed my views.

A change in the personnel of a national administration is of comparatively little moment. If those exercising public functions are able, honest, diligent, and faithful, others possessing all these qualities may be found to take their places. But changes in the laws and administrative policies are of great moment. When public affairs have been given a direction and business has adjusted itself to these lines, any sudden change involves a stoppage and new business adjustments. If the change of direction is so radical as to bring the commercial turn-table into use the business changes involved are not readjustments, but reconstructions.

The Democratic party offers a programme of demolition. The protective policy—to which all business, even that of the importer, is now adjusted—the reciprocity policy, the new merchant marine, are all to be demolished, not gradually, not taken down, but blown up. To this programme of destruction it has added one constructive feature, the reestablishment of State banks of issue.

The policy of the Republican party is, on the other hand, distinctively a policy of safe progression and development—of new factories, new markets, and new ships. It will subject business to no perilous changes, but offers attractive opportunities for expansion upon familiar lines.

Very respectfully yours,

BENJ. HARRISON.

WASHINGTON, D. C.,  
*September 3, 1892.*

## INAUGURAL ADDRESS.

MARCH 4, 1889.

There is no constitutional or legal requirement that the President shall take the oath of office in the presence of the people. But there is so manifest an appropriateness in the public induction to office of the chief executive officer of the nation that from the beginning of the Government the people, to whose service the official oath consecrates the officer, have been called to witness the solemn ceremonial. The oath taken in the presence of the people becomes a mutual covenant; the officer covenants to serve the whole body of the people by a faithful execution of the laws, so that they may be the unfailing defense and security of those who respect and observe them, and that neither wealth and station nor the power of combinations shall be able to evade their just penalties or to wrest them from a beneficent public purpose to serve the ends of cruelty or selfishness. My promise is spoken; yours unspoken, but not the less real and solemn. The people of every State have here their representatives. Surely I do not misinterpret the spirit of the occasion when I assume that the whole body of the people covenant with me and with each other to-day to support and defend the Constitution and the Union of the States, to yield willing obedience to all the laws and each to every other citizen his equal civil and political rights. Entering thus solemnly in covenant with each other, we may reverently invoke and confidently expect the favor and help of Almighty God, that He will give to me wisdom, strength, and fidelity, and to our people a spirit of fraternity and a love of righteousness and peace.

This occasion derives peculiar interest from the fact that the presidential term which begins this day is the twenty-sixth under our Constitution. The first inauguration of President Washington took place in New York, where Congress was then sitting, on April 30, 1789, having been deferred by reason of delays attending the organization of the Congress and the canvass of the electoral vote. Our people have already worthily observed the centennials of the Declaration of Independence, of the battle of Yorktown, and of the adoption of the Constitution, and will shortly celebrate in New York the institution of the second great department of our constitutional scheme of government. When the centennial of the institution of the judicial department by the organization of the Supreme

Court shall have been suitably observed, as I trust it will be, our nation will have fully entered its second century.

I will not attempt to note the marvelous and, in great part, happy contrasts between our country as it steps over the threshold into its second century of organized existence under the Constitution, and that weak but wisely ordered young nation that looked undauntedly down the first century, when all its years stretched out before it.

Our people will not fail at this time to recall the incidents which accompanied the institution of government under the Constitution, or to find inspiration and guidance in the teachings and example of Washington and his great associates, and hope and courage in the contrast which thirty-eight populous and prosperous States offer to the thirteen States, weak in everything except courage and the love of liberty, that then fringed our Atlantic seaboard.

The Territory of Dakota has now a population greater than any of the original States—except Virginia—and greater than the aggregate of five of the smaller States in 1790. The center of population when our national capital was located was east of Baltimore, and it was argued by many well-informed persons that it would move eastward rather than westward. Yet in 1880 it was found to be near Cincinnati, and the new census, about to be taken, will show another stride to the westward. That which was the body has come to be only the rich fringe of the nation's robe. But our growth has not been limited to territory, population, and aggregate wealth, marvelous as it has been in each of those directions. The masses of our people are better fed, clothed, and housed than their fathers were. The facilities for popular education have been vastly enlarged and more generally diffused. The virtues of courage and patriotism have given recent proof of their continued presence and increasing power in the hearts and over the lives of our people. The influences of religion have been multiplied and strengthened. The sweet offices of charity have greatly increased. The virtue of temperance is held in higher estimation. We have not attained an ideal condition. Not all of our people are happy and prosperous; not all of them are virtuous and law-abiding. But, on the whole, the opportunities offered to the individual to secure the comforts of life are better than are found elsewhere, and largely better than they were here a hundred years ago.

The surrender of a large measure of sovereignty to the General Government, effected by the adoption of the Constitution, was not accomplished until the suggestions of reason were strongly reënforced by the more imperative voice of experience. The divergent interests of peace speedily demanded a "more perfect union." The

merchant, the shipmaster, and the manufacturer discovered and disclosed to our statesmen and to the people that commercial emancipation must be added to the political freedom which had been so bravely won. The commercial policy of the mother country had not relaxed any of its hard and oppressive features. To hold in check the development of our commercial marine, to prevent or retard the establishment and growth of manufactures in the States, and so to secure the American market for their shops and the carrying trade for their ships, was the policy of European statesmen, and was pursued with the most selfish vigor. Petitions poured in upon Congress urging the imposition of discriminating duties that should encourage the production of needed things at home. The patriotism of the people, which no longer found a field of exercise in war, was energetically directed to the duty of equipping the young republic for the defence of its independence by making its people self-dependent. Societies for the promotion of home manufactures and for encouraging the use of domestics in the dress of the people were organized in many of the States. The revival at the end of the century of the same patriotic interest in the preservation and development of domestic industries and the defense of our working people against injurious foreign competition is an incident worthy of attention.

It is not a departure, but a return that we have witnessed. The protective policy had then its opponents. The argument was made, as now, that its benefits inured to particular classes or sections. If the question became in any sense, or at any time, sectional, it was only because slavery existed in some of the States. But for this there was no reason why the cotton producing States should not have led or walked abreast with the New England States in the production of cotton fabrics. There was this reason only why the States that divide with Pennsylvania the mineral treasures of the great southeastern and central mountain ranges should have been so tardy in bringing to the smelting furnace and the mill the coal and iron from their near opposing hillsides. Mill fires were lighted at the funeral pile of slavery. The emancipation proclamation was heard in the depths of the earth as well as in the sky; men were made free and material things became our better servants.

The sectional element has happily been eliminated from the tariff discussion. We have no longer States that are necessarily only planting States. None are excluded from achieving that diversification of pursuit among the people which brings wealth and contentment. The cotton plantation will not be less valuable when the product is spun in the country town by operatives whose

necessities call for diversified crops and create a home demand for garden and agricultural products. Every new mine, furnace, and factory is an extension of the productive capacity of the State more real and valuable than added territory.

Shall the prejudices and paralysis of slavery continue to hang upon the skirts of progress? How long will those who rejoice that slavery no longer exists cherish or tolerate the incapacities it puts upon their communities? I look hopefully to the continuance of our protective system and to the consequent development of manufacturing and mining enterprises in the States hitherto wholly given to agriculture as a potent influence in the perfect unification of our people. The men who have invested their capital in these enterprises, the farmers who have felt the benefit of their neighborhood, and the men who work in shop or field will not fail to find and to defend a community of interest. Is it not quite possible that the farmers and the promoters of the great mining and manufacturing enterprises which have recently been established in the South may yet find that the free ballot of the workingman, without distinction of race, is needed for their defense as well as for his own? I do not doubt that if these men in the South who now accept the tariff views of Clay and the constitutional expositions of Webster would courageously avow and defend their real convictions they would not find it difficult, by friendly instruction and coöperation, to make the black man their efficient and safe ally, not only in establishing correct principles in our national administration, but in preserving for their local communities the benefits of social order and economical and honest government. At least until the good offices of kindness and education have been fairly tried the contrary conclusion can not be plausibly urged.

I have altogether rejected the suggestion of a special executive policy for any section of our country. It is the duty of the Executive to administer and enforce, in the methods and by the instrumentalities pointed out and provided by the Constitution, all the laws enacted by Congress. These laws are general, and their administration should be uniform and equal. As a citizen may not elect what laws he will obey, neither may the Executive elect which he will enforce. The duty to obey and execute embraces the Constitution in its entirety and the whole code of laws enacted under it. The evil example of permitting individuals, corporations, or communities to nullify the laws because they cross some selfish or local interests or prejudices, is full of danger, not only to the nation at large, but much more to those who use this pernicious expedient to escape their just obligations or to obtain an unjust advantage over

others. They will presently themselves be compelled to appeal to the law for protection, and those who would use the law as a defense must not deny that use of it to others.

If our great corporations would more scrupulously observe their legal obligations and duties, they would have less cause to complain of the unlawful limitations of their rights or of violent interference with their operations. The community that by concert, open or secret, among its citizens, denies to a portion of its members their plain rights under the law, has severed the only safe bond of social order and prosperity. The evil works, from a bad center, both ways. It demoralizes those who practice it, and destroys the faith of those who suffer by it in the efficiency of the law as a safe protector. The man in whose breast that faith has been darkened is naturally the subject of dangerous and uncanny suggestions. Those who use unlawful methods, if moved by no higher motive than the selfishness that prompts them, may well stop and inquire what is to be the end of this. An unlawful expedient can not become a permanent condition of government. If the educated and influential classes in a community either practice or connive at the systematic violation of laws that seem to them to cross their convenience, what can they expect when the lesson that convenience or a supposed class interest is a sufficient cause for lawlessness has been well learned by the ignorant classes? A community where law is the rule of conduct, and where courts, not mobs, execute its penalties, is the only attractive field for business investments and honest labor.

Our naturalization laws should be so amended as to make the inquiry into the character and good disposition of persons applying for citizenship more careful and searching. Our existing laws have been in their administration an unimpressive and often an unintelligible form. We accept the man as a citizen without any knowledge of his fitness, and he assumes the duties of citizenship without any knowledge as to what they are. The privileges of American citizenship are so great and its duties so grave that we may well insist upon a good knowledge of every person applying for citizenship and a good knowledge by him of our institutions. We should not cease to be hospitable to immigration, but we should cease to be careless as to the character of it. There are men of all races even the best, whose coming is necessarily a burden upon our public revenues or a threat to social order. These should be identified and excluded.

We have happily maintained a policy of avoiding all interference with European affairs. We have been only interested spectators of their contentions in diplomacy and in war, ready to use our friendly offices to promote peace, but never obtruding our advice and never

attempting unfairly to coin the distresses of other powers into commercial advantage to ourselves. We have a just right to expect that our European policy will be the American policy of European courts.

It is so manifestly incompatible with those precautions for our peace and safety, which all the great powers habitually observe and enforce in matters affecting them, that a shorter water way between our eastern and western seaboard should be dominated by any European government, that we may confidently expect that such a purpose will not be entertained by any friendly power. We shall in the future, as in the past, use every endeavor to maintain and enlarge our friendly relations with all the great powers, but they will not expect us to look kindly upon any project that would leave us subject to the dangers of a hostile observation or environment.

We have not sought to dominate or to absorb any of our weaker neighbors, but rather to aid and encourage them to establish free and stable governments, resting upon the consent of their own people. We have a clear right to expect, therefore, that no European government will seek to establish colonial dependencies upon the territory of these independent American States. That which a sense of justice restrains us from seeking they may be reasonably expected willingly to forego.

It must not be assumed, however, that our interests are so exclusively American that our entire inattention to any events that may transpire elsewhere can be taken for granted. Our citizens domiciled for purposes of trade in all countries and in many of the islands of the sea demand and will have our adequate care in their personal and commercial rights. The necessities of our navy require convenient coaling stations and dock and harbor privileges. These and other trading privileges we will feel free to obtain only by means that do not in any degree partake of coercion, however feeble the Government from which we ask such concessions. But having fairly obtained them by methods, and for purposes entirely consistent with the most friendly disposition toward all other powers, our consent will be necessary to any modification or impairment of the concession.

We shall neither fail to respect the flag of any friendly nation or the just rights of its citizens, nor to exact the like treatment for our own. Calmness, justice, and consideration should characterize our diplomacy. The offices of an intelligent diplomacy or of friendly arbitration, in proper cases, should be adequate to the peaceful adjustment of all international difficulties. By such methods we will make our contribution to the world's peace, which no nation



values more highly, and avoid the opprobrium which must fall upon the nation that ruthlessly breaks it.

The duty devolved by law upon the President to nominate and, by and with the advice and consent of the Senate, to appoint all public officers whose appointment is not otherwise provided for in the Constitution or by act of Congress has become very burdensome, and its wise and efficient discharge full of difficulty. The civil list is so large that a personal knowledge of any large number of the applicants is impossible. The President must rely upon the representations of others, and these are often made inconsiderately and without any just sense of responsibility.

I have a right, I think, to insist that those who volunteer or are invited to give advice as to appointments shall exercise consideration and fidelity. A high sense of duty and an ambition to improve the service should characterize all public officers. There are many ways in which the convenience and comfort of those who have business with our public officers may be promoted by a thoughtful and obliging officer, and I shall expect those whom I may appoint to justify their selection by a conspicuous efficiency in the discharge of their duties. Honorable party service will certainly not be esteemed by me a disqualification for public office; but it will in no case be allowed to serve as a shield for official negligence, incompetency, or delinquency. It is entirely creditable to seek public office by proper methods and with proper motives, and all applications will be treated with consideration; but I shall need, and the heads of departments will need, time for inquiry and deliberation. Persistent importunity will not, therefore, be the best support of an application for office.

Heads of departments, bureaus, and all other public officers having any duty connected therewith, will be expected to enforce the civil-service law fully and without evasion. Beyond this obvious duty I hope to do something more to advance the reform of the civil service. The ideal, or even my own ideal, I shall probably not attain. Retrospect will be a safer basis of judgment than promises. We shall not, however, I am sure, be able to put our civil service upon a nonpartisan basis until we have secured an incumbency that fair minded men of the opposition will approve for impartiality and integrity. As the number of such in the civil list is increased removals from office will diminish.

While a treasury surplus is not the greatest evil, it is a serious evil. Our revenue should be ample to meet the ordinary annual demands upon our treasury, with a sufficient margin for those extraordinary but scarcely less imperative demands which arise now and

then. Expenditure should always be made with economy, and only upon public necessity. Wastefulness, profligacy, or favoritism in public expenditures is criminal, but there is nothing in the condition of our country or of our people to suggest that anything presently necessary to the public prosperity, security, or honor should be unduly postponed. It will be the duty of Congress wisely to forecast and estimate these extraordinary demands, and, having added them to our ordinary expenditures, to so adjust our revenue laws that no considerable annual surplus will remain. We will fortunately be able to apply to the redemption of the public debt any small and unforeseen excess of revenue. This is better than to reduce our income below our necessary expenditures with the resulting choice between another change of our revenue laws and an increase of the public debt. It is quite possible, I am sure, to effect the necessary reduction in our revenues without breaking down our protective tariff or seriously injuring any domestic industry.

The construction of a sufficient number of modern war ships and of their necessary armament should progress as rapidly as is consistent with care and perfection in plans and workmanship. The spirit, courage, and skill of our naval officers and seamen have many times in our history given to weak ships and inefficient guns a rating greatly beyond that of the naval list. That they will again do so upon occasion I do not doubt; but they ought not, by premeditation or neglect, to be left to the risks and exigencies of an unequal combat.

We should encourage the establishment of American steamship lines. The exchanges of commerce demand stated, reliable, and rapid means of communication, and until these are provided the development of our trade with the states lying south of us is impossible.

Our pension law should give more adequate and discriminating relief to the Union soldiers and sailors and to their widows and orphans. Such occasions as this should remind us that we owe everything to their valor and sacrifice.

It is a subject of congratulation that there is a near prospect of the admission into the Union of the Dakotas and Montana and Washington Territories. This act of justice has been unreasonably delayed in the case of some of them. The people who have settled those Territories are intelligent, enterprising, and patriotic, and the accession of these new States will add strength to the nation. It is due to the settlers in the Territories who have availed themselves of the invitations of our land laws to make homes upon the

public domain that their titles should be speedily adjusted and their honest entries confirmed by patent.

It is very gratifying to observe the general interest now being manifested in the reform of our election laws. Those who have been for years calling attention to the pressing necessity of throwing about the ballot-box and about the elector further safeguards, in order that our elections might not only be free and pure, but might clearly appear to be so, will welcome the accession of any who did not so soon discover the need of reform. The national Congress has not as yet taken control of elections in that case over which the Constitution gives it jurisdiction, but has accepted and adopted the election laws of the several States, provided penalties for their violation and a method of supervision. Only the inefficiency of the State laws or an unfair partisan administration of them could suggest a departure from this policy. It was clearly, however, in the contemplation of the framers of the Constitution that such an exigency might arise, and provision was wisely made for it. No power vested in Congress or in the Executive to secure or perpetuate it should remain unused upon occasion.

The people of all the Congressional districts have an equal interest that the election in each shall truly express the views and wishes of a majority of the qualified electors residing within it. The results of such elections are not local, and the insistence of electors residing in other districts that they shall be pure and free does not savor at all of impertinence. If in any of the States the public security is thought to be threatened by ignorance among the electors, the obvious remedy is education. The sympathy and help of our people will not be withheld from any community struggling with special embarrassments or difficulties connected with the suffrage, if the remedies proposed proceed upon lawful lines and are promoted by just and honorable methods. How shall those who practice election frauds recover that respect for the sanctity of the ballot which is the first condition and obligation of good citizenship? The man who has come to regard the ballot-box as a juggler's hat has renounced his allegiance.

Let us exalt patriotism and moderate our party contentions. Let those who would die for the flag on the field of battle give a better proof of their patriotism and a higher glory to their country by promoting fraternity and justice. A party success that is achieved by unfair methods or by practices that partake of revolution is hurtful and evanescent, even from a party standpoint. We should hold our differing opinions in mutual respect, and, having submitted them to the arbitrament of the ballot, should accept an adverse

judgment with the same respect that we would have demanded of our opponents if the decision had been in our favor.

No other people have a government more worthy of their respect and love, or a land so magnificent in extent, so pleasant to look upon, and so full of generous suggestion to enterprise and labor. God has placed upon our head a diadem, and has laid at our feet power and wealth beyond definition or calculation. But we must not forget that we take these gifts upon the condition that justice and mercy shall hold the reins of power, and that the upward avenues of hope shall be free to all the people.

I do not mistrust the future. Dangers have been in frequent ambush along our path, but we have uncovered and vanquished them all. Passion has swept some of our communities, but only to give us a new demonstration that the great body of our people are stable, patriotic, and law-abiding. No political party can long pursue advantage at the expense of public honor or by rude and indecent methods without protest and fatal disaffection in its own body. The peaceful agencies of commerce are more fully revealing the necessary unity of all our communities, and the increasing intercourse of our people is promoting mutual respect. We shall find unalloyed pleasure in the revelation which our next census will make of the swift development of the great resources of some of the States. Each State will bring its generous contribution to the great aggregate of the nation's increase. And when the harvest from the fields, the cattle from the hills, and the ores of the earth shall have been weighed, counted, and valued, we will turn from them all to crown with the highest honor the State that has most promoted education, virtue, justice, and patriotism among the people.

## ANNUAL MESSAGES TO CONGRESS.

## I.

DECEMBER 3 1889.

*To the Senate and House of Representatives:*

There are few transactions in the administration of the Government that are even temporarily held in the confidence of those charged with the conduct of the public business. Every step taken is under the observation of an intelligent and watchful people. The state of the Union is known from day to day, and suggestions as to needed legislation find an earlier voice than that which speaks in these annual communications of the President to Congress.

Good-will and cordiality have characterized our relations and correspondence with other governments, and the year just closed leaves few international questions of importance remaining unadjusted. No obstacle is believed to exist that can long postpone the consideration and adjustment of the still pending questions upon satisfactory and honorable terms. The dealings of this Government with other states have been and should always be marked by frankness and sincerity, and purposes avowed, and our methods free from intrigue. This course has borne rich fruit in the past, and it is our duty as a nation to preserve the heritage of good repute which a century of right dealing with foreign governments has secured to us.

It is a matter of high significance, and no less of congratulation, that the first year of the second century of our constitutional existence finds, as honored guests within our borders, the representatives of all the independent states of North and South America met together in earnest conference touching the best methods of perpetuating and expanding the relations of mutual interest and friendliness existing among them. That the opportunity thus afforded for promoting closer international relations and the increased prosperity of the states represented will be used for the mutual good of all, I can not permit myself to doubt. Our people will await with interest and confidence the results to flow from so auspicious a meeting of allied and, in large part, identical interests.

The recommendations of this international conference of enlightened statesmen will doubtless have the considerate attention of Congress, and its coöperation in the removal of unnecessary barriers to beneficial intercourse between the nations of America. But

while the commercial results which it is hoped will follow this conference are worthy of pursuit and of the great interest they have excited, it is believed that the crowning benefit will be found in the better securities which may be devised for the maintenance of peace among all American nations and the settlement of all contentions by methods that a Christian civilization can approve. While viewing with interest our national resources and products, the delegates will, I am sure, find a higher satisfaction in the evidence of unselfish friendship which everywhere attend their intercourse with our people.

Another international conference, having great possibilities for good, has lately assembled and is now in session in this capital. An invitation was extended by the Government, under the act of Congress of July 9, 1888, to all maritime nations to send delegates to confer touching the revision and amendment of the rules and regulations governing vessels at sea and to adopt a uniform system of marine signals. The response to this invitation has been very general and very cordial. Delegates from twenty-six nations are present in the conference, and they have entered upon their useful work with great zeal, and with an evident appreciation of its importance. So far as the agreement to be reached may require legislation to give it effect, the coöperation of Congress is confidently relied upon.

It is an interesting, if not indeed an unprecedented fact, that the two international conferences have brought together here the accredited representatives of thirty-three nations.

Bolivia, Ecuador, and Honduras are now represented by resident envoys of the plenipotentiary grade. All the states of the American system now maintain diplomatic representation at this capital.

In this connection it may be noted that all the nations of the western hemisphere, with one exception, send to Washington envoys extraordinary and ministers plenipotentiary, being the highest grade accredited to this Government. The United States, on the contrary, sends envoys of lower grade to some of our sister republics. Our representative in Paraguay and Uruguay is a minister resident, while to Bolivia we send a minister resident and consul-general. In view of the importance of our relations with the states of the American system, our diplomatic agents in those countries should be of the uniform rank of envoy extraordinary and minister plenipotentiary. Certain missions were so elevated by the last Congress with happy effect, and I recommend the completion of the reform thus begun, with the inclusion also of Hawaii and Hayti, in view of their relations to the American system of states.

I also recommend that timely provision be made for extending to Hawaii an invitation to be represented in the international conference now sitting at this capital.

Our relations with China have the attentive consideration which their magnitude and interest demand. The failure of the treaty negotiated under the administration of my predecessor for the further and more complete restriction of Chinese labor immigration, and, with it, the legislation of the last session of Congress dependent thereon, leaves some questions open which Congress should now approach in that wise and just spirit which should characterize the relations of two great and friendly powers. While our supreme interests demand the exclusion of a laboring element which experience has shown to be incompatible with our social life, all steps to compass this imperative need should be accompanied with a recognition of the claim of those strangers now lawfully among us to humane and just treatment.

The accession of the young Emperor of China marks, we may hope, an era of progress and prosperity for the great country over which he is called to rule.

The present state of affairs in respect to the Samoan Islands is encouraging. The conference which was held in this city in the summer of 1887 between the representatives of the United States, Germany, and Great Britain having been adjourned because of the persistent divergence of views which was developed in its deliberations, the subsequent course of events in the islands gave rise to questions of a serious character. On the 4th of February last, the German minister at this capital, in behalf of his Government, proposed a resumption of the conference at Berlin. This proposition was accepted, as Congress, in February last, was informed.

Pursuant to the understanding thus reached, commissioners were appointed by me, by and with the advice and consent of the Senate, who proceeded to Berlin, where the conference was renewed. The deliberations extended through several weeks, and resulted in the conclusion of a treaty which will be submitted to the Senate for its approval. I trust that the efforts which have been made to effect an adjustment of this question will be productive of the permanent establishment of law and order in Samoa upon the basis of the maintenance of the rights and interests of the natives as well as of the treaty powers.

The questions which have arisen during the past few years between Great Britain and the United States are in abeyance or in course of amicable adjustment.

On the part of the Government of the Dominion of Canada an

effort has been apparent during the season just ended to administer the laws and regulations applicable to the fisheries with as little occasion for friction as was possible, and the temperate representations of this Government in respect of cases of undue hardship or of harsh interpretations have been in most cases met with measures of transitory relief. It is trusted that the attainment of our just rights under existing treaties and in virtue of the concurrent legislation of the two contiguous countries will not be long deferred and that all existing causes of difference may be equitably adjusted.

I recommend that provision be made by an international agreement for visibly marking the water boundary between the United States and Canada in the narrow channels that join the Great Lakes. The conventional line therein traced by the Northwestern Boundary Survey, years ago, is not in all cases readily ascertainable for the settlement of jurisdictional questions.

A just and acceptable enlargement of the list of offenses for which extradition may be claimed and granted is most desirable between this country and Great Britain. The territory of neither should become a secure harbor for the evil-doers of the other through any avoidable short-coming in this regard. A new treaty on this subject between the two powers has been recently negotiated and will soon be laid before the Senate.

The importance of the commerce of Cuba and Porto Rico with the United States, their nearest and principal market, justifies the expectation that the existing relations may be beneficially expanded. The impediments resulting from varying dues on navigation and from the vexatious treatment of our vessels, on merely technical grounds of complaint, in West India ports, should be removed.

The progress toward an adjustment of pending claims between the United States and Spain is not as rapid as could be desired.

Questions affecting American interests in connection with railways constructed and operated by our citizens in Peru have claimed the attention of this Government. It is urged that other governments, in pressing Peru to the payment of their claims, have disregarded the property rights of American citizens. The matter will be carefully investigated, with the view to securing a proper and equitable adjustment.

A similar issue is now pending with Portugal. The Delagoa Bay Railway in Africa was constructed under a concession by Portugal to an American citizen. When nearly completed the road was seized by the agents of the Portuguese Government. Formal protest has been made through our minister at Lisbon against this act, and no proper effort will be spared to secure proper relief.



In pursuance of the charter granted by Congress, and under the terms of its contract with the Government of Nicaragua, the Inter-oceanic Canal Company has begun the construction of the important water way between the two oceans which its organization contemplates. Grave complications for a time seemed imminent, in view of a supposed conflict of jurisdiction between Nicaragua and Costa Rica in regard to the accessory privileges to be conceded by the latter Republic toward the construction of works on the San Juan River, of which the right bank is Costa Rican territory. I am happy to learn that a friendly arrangement has been effected between the two nations. This Government has held itself ready to promote in every proper way the adjustment of all questions that might present obstacles to the completion of a work of such transcendent importance to the commerce of this country, and indeed to the commercial interests of the world.

The traditional good-feeling between this country and the French Republic has received additional testimony in the participation of our Government and people in the international exposition held at Paris during the past summer. The success of our exhibitors has been gratifying. The report of the commission will be laid before Congress in due season.

This Government has accepted, under proper reserve as to its policy in foreign territories, the invitation of the Government of Belgium to take part in an international congress, which opened at Brussels on the 16th of November, for the purpose of devising measures to promote the abolition of the slave-trade in Africa and to prevent the shipment of slaves by sea. Our interest in the extinction of this crime against humanity, in the regions where it yet survives, has been increased by the results of emancipation within our own borders.

With Germany the most cordial relations continue. The questions arising from the return to the Empire of Germans naturalized in this country are considered and disposed of in a temperate spirit, to the entire satisfaction of both Governments.

It is a source of great satisfaction that the internal disturbances of the Republic of Hayti are at last happily ended, and that an apparently stable government has been constituted. It has been duly recognized by the United States.

A mixed commission is now in session in this capital for the settlement of long-standing claims against the Republic of Venezuela, and it is hoped that a satisfactory conclusion will be speedily reached. This Government has not hesitated to express its earnest desire that the boundary dispute now pending between Great Britain and

Venezuela may be adjusted amicably and in strict accordance with the historic title of the parties.

The advancement of the Empire of Japan has been evidenced by the recent promulgation of a new constitution, containing valuable guaranties of liberty and providing for a responsible ministry to conduct the government.

It is earnestly recommended that our judicial rights and processes in Corea be established on a firm basis, by providing the machinery necessary to carry out treaty stipulations in that regard.

The friendliness of the Persian Government continues to be shown by its generous treatment of Americans engaged in missionary labors, and by the cordial disposition of the Shah to encourage the enterprise of our citizens in the development of Persian resources.

A discussion is in progress touching the jurisdictional treaty rights of the United States in Turkey. An earnest effort will be made to define those rights to the satisfaction of both Governments.

Questions continue to arise in our relations with several countries in respect to the rights of naturalized citizens. Especially is this the case with France, Italy, Russia, and Turkey, and to a less extent with Switzerland. From time to time earnest efforts have been made to regulate this subject by conventions with those countries. An improper use of naturalization should not be permitted, but it is most important that those who have been duly naturalized should everywhere be accorded recognition of the rights pertaining to the citizenship of the country of their adoption. The appropriateness of special conventions for that purpose is recognized in treaties which this Government has concluded with a number of European states, and it is advisable that the difficulties which now arise in our relations with other countries on the same subject should be similarly adjusted.

The recent revolution in Brazil in favor of the establishment of a republican form of government is an event of great interest to the United States. Our minister at Rio de Janeiro was at once instructed to maintain friendly diplomatic relations with the provisional government, and the Brazilian representatives at this capital were instructed by the provisional government to continue their functions. Our friendly intercourse with Brazil has, therefore, suffered no interruption.

Our minister has been further instructed to extend on the part of this Government a formal and cordial recognition of the new Republic so soon as the majority of the people of Brazil shall have signified their assent to its establishment and maintenance.

Within our own borders a general condition of prosperity prevails.

The harvests of the last summer were exceptionally abundant, and the trade conditions now prevailing seem to promise a successful season to the merchant and the manufacturer, and general employment to our working people.

The report of the Secretary of the Treasury for the fiscal year ending June 30, 1889, has been prepared, and will be presented to Congress. It presents with clearness the fiscal operations of the Government, and I avail myself of it to obtain some facts for use here.

The aggregate receipts from all sources for the year were \$387,050,058.84, derived as follows:

From customs -----	\$223,832,741.69
From internal revenue-----	130,881,513.92
From miscellaneous sources -----	32,335,803.23

The ordinary expenditures for the same period were \$281,996,615.60, and the total expenditures, including the sinking fund, were \$329,579,929.25. The excess of receipts over expenditures was, after providing for the sinking fund, \$57,470,129.59.

For the current fiscal year the total revenues, actual and estimated, are \$385,000,000, and the ordinary expenditures, actual and estimated, are \$293,000,000, making, with the sinking fund, a total expenditure of \$341,321,116.99, leaving an estimated surplus of \$43,678,883.01.

During the fiscal year there were applied to the purchase of bonds, in addition to those for the sinking fund, \$90,456,172.35, and during the first quarter of the current year the sum of \$37,838,937.77, all of which were credited to the sinking fund. The revenues for the fiscal year ending June 30, 1891, are estimated by the Treasury Department at \$385,000,000, and the expenditures for the same period, including the sinking fund, at \$341,430,477.70. This shows an estimated surplus for that year of \$43,569,522.30, which is more likely to be increased than reduced when the actual transactions are written up.

The existence of so large an actual and anticipated surplus should have the immediate attention of Congress, with a view to reducing the receipts of the Treasury to the needs of the Government as closely as may be. The collection of moneys not needed for public uses imposes an unnecessary burden upon our people, and the presence of so large a surplus in the public vaults is a disturbing element in the conduct of private business. It has called into use expedients for putting it into circulation of very questionable propriety. We should not collect revenue for the purpose of anticipating our bonds,

beyond the requirements of the sinking fund, but any unappropriated surplus in the Treasury should be so used, as there is no other lawful way of returning the money to circulation, and the profit realized by the Government offers a substantial advantage.

The loaning of public funds to the banks without interest, upon the security of Government bonds, I regard as an unauthorized and dangerous expedient. It results in a temporary and unnatural increase of the banking capital of favored localities, and compels a cautious and gradual recall of the deposits to avoid injury to the commercial interests. It is not to be expected that the banks having these deposits will sell their bonds to the Treasury so long as the present highly beneficial arrangement is continued. They now practically get interest both upon the bonds and their proceeds. No further use should be made of this method of getting the surplus into circulation, and the deposits now outstanding should be gradually withdrawn and applied to the purchase of bonds. It is fortunate that such a use can be made of the existing surplus, and for some time to come of any casual surplus that may exist after Congress has taken the necessary steps for a reduction of the revenue. Such legislation should be promptly, but very considerately, enacted.

I recommend a revision of our tariff law, both in its administrative features and in the schedules. The need of the former is generally conceded and an agreement upon the evils and inconveniences to be remedied and the best methods for their correction will probably not be difficult. Uniformity of valuation at all our ports is essential, and effective measures should be taken to secure it. It is equally desirable that questions affecting rates and classifications should be promptly decided.

The preparation of a new schedule of customs duties is a matter of great delicacy because of its direct effect upon the business of the country, and of great difficulty by reason of the wide divergence of opinion as to the objects that may properly be promoted by such legislation. Some disturbance of business may perhaps result from the consideration of this subject by Congress, but this temporary ill effect will be reduced to the minimum by prompt action and by the assurance which the country already enjoys that any necessary changes will be so made as not to impair the just and reasonable protection of our home industries. The inequalities of the law should be adjusted, but the protective principle should be maintained and fairly applied to the products of our farms as well as of our shops. These duties necessarily have relation to other things besides the public revenues. We can not limit their effects by fixing our eyes on the public treasury alone. They have a direct relation

to home production, to work, to wages, and to the commercial independence of our country, and the wise and patriotic legislator should enlarge the field of his vision to include all of these.

The necessary reduction in our public revenues can, I am sure, be made without making the smaller burden more onerous than the larger by reason of the disabilities and limitations which the process of reduction puts upon both capital and labor. The free list can very safely be extended by placing thereon articles that do not offer injurious competition to such domestic products as our home labor can supply. The removal of the internal tax upon tobacco would relieve an important agricultural product from a burden which was imposed only because our revenue from customs duties was insufficient for the public needs. If safe provision against fraud can be devised, the removal of the tax upon spirits used in the arts and in manufactures would also offer an unobjectionable method of reducing the surplus.

A table presented by the Secretary of the Treasury, showing the amount of money of all kinds in circulation each year from 1878 to the present time, is of interest. It appears that the amount of national-bank notes in circulation has decreased during that period \$114,109,729, of which \$37,799,229 is chargeable to the last year. The withdrawal of bank circulation will necessarily continue under existing conditions. It is probable that the adoption of the suggestions made by the Comptroller of the Currency, viz, that the minimum deposit of bonds for the establishment of banks be reduced, and that an issue of notes to the par value of the bonds be allowed, would help to maintain the bank circulation. But, while this withdrawal of bank notes has been going on, there has been a large increase in the amount of gold and silver coin in circulation and in the issues of gold and silver certificates.

The total amount of money of all kinds in circulation on March 1, 1878, was \$805,793,807, while on October 1, 1889, the total was \$1,405,018,000. There was an increase of \$293,417,552 in gold coin, of \$57,554,100 in standard silver dollars, of \$72,311,249 in gold certificates, of \$276,619,715 in silver certificates, and of \$14,073,787 in United States notes, making a total of \$713,976,403. There was during the same period a decrease of \$114,109,729 in bank circulation, and of \$642,481 in subsidiary silver. The net increase was \$599,224,193. The circulation per capita has increased about \$5 during the time covered by the table referred to.

The total coinage of silver dollars was, on November 1, 1889, \$343,638,001, of which \$283,539,521 were in the Treasury vaults and \$60,098,480 were in circulation. Of the amount in the vaults,

\$277,319,944 were represented by outstanding silver certificates, leaving \$6,219,577 not in circulation and not represented by certificates.

The law requiring the purchase, by the Treasury, of \$2,000,000 worth of silver bullion each month, to be coined into silver dollars of 412½ grains, has been observed by the Department; but neither the present Secretary nor any of his predecessors has deemed it safe to exercise the discretion given by law to increase the monthly purchases to \$4,000,000. When the law was enacted (February 28, 1878) the price of silver in the market was \$1.20 $\frac{4}{10}$  per ounce, making the bullion value of the dollar 93 cents. Since that time the price has fallen as low as 91.2 cents per ounce, reducing the bullion value of the dollar to 70.6 cents. Within the last few months the market price has somewhat advanced, and on the 1st day of November last the bullion value of the silver dollar was 72 cents.

The evil anticipations which have accompanied the coinage and use of the silver dollar have not been realized. As a coin it has not had general use, and the public Treasury has been compelled to store it. But this is manifestly owing to the fact that its paper representative is more convenient. The general acceptance and use of the silver certificate show that silver has not been otherwise discredited. Some favorable conditions have contributed to maintain this practical equality, in their commercial use, between the gold and silver dollars. But some of these are trade conditions that statutory enactments do not control and of the continuance of which we can not be certain.

I think it is clear that if we should make the coinage of silver at the present ratio free, we must expect that the difference in the bullion values of the gold and silver dollars will be taken account of in commercial transactions, and I fear the same result would follow any considerable increase of the present rate of coinage. Such a result would be discreditable to our financial management and disastrous to all business interests. We should not tread the dangerous edge of such a peril. And, indeed, nothing more harmful could happen to the silver interests. Any safe legislation upon this subject must secure the equality of the two coins in their commercial uses.

I have always been an advocate of the use of silver in our currency. We are large producers of that metal, and should not discredit it. To the plan which will be presented by the Secretary of the Treasury for the issuance of notes or certificates upon the deposit of silver bullion at its market value, I have been able to give only a hasty examination, owing to the press of other matters and to the fact

that it has been so recently formulated. The details of such a law require careful consideration, but the general plan suggested by him seems to satisfy the purpose—to continue the use of silver in connection with our currency, and at the same time to obviate the danger of which I have spoken. At a later day I may communicate further with Congress upon this subject.

The enforcement of the Chinese exclusion act has been found to be very difficult on the northwestern frontier. Chinamen, landing at Victoria, find it easy to pass our border, owing to the impossibility, with the force at the command of the customs officers, of guarding so long an inland line. The Secretary of the Treasury has authorized the employment of additional officers who will be assigned to this duty, and every effort will be made to enforce the law. The Dominion exacts a head tax of \$50 for each Chinaman landed, and when these persons, in fraud of our law, cross into our territory and are apprehended, our officers do not know what to do with them, as the Dominion authorities will not suffer them to be sent back without a second payment of the tax. An effort will be made to reach an understanding that will remove this difficulty.

The proclamation required by section 3 of the act of March 2, 1889, relating to the killing of seals and other fur-bearing animals, was issued by me on the 21st day of March, and a revenue vessel was dispatched to enforce the laws and protect the interests of the United States. The establishment of a refuge station at Point Barrow, as directed by Congress, was successfully accomplished.

Judged by modern standards, we are practically without coast defenses. Many of the structures we have would enhance rather than diminish the perils of their garrisons if subjected to the fire of improved guns; and very few are so located as to give full effect to the greater range of such guns as we are now making for coast-defense uses. This general subject has had consideration in Congress for some years, and the appropriation for the construction of large rifled guns, made one year ago, was, I am sure, the expression of a purpose to provide suitable works in which these guns might be mounted. An appropriation now made for that purpose would not advance the completion of the works beyond our ability to supply them with fairly effective guns.

The security of our coast cities against foreign attacks should not rest altogether in the friendly disposition of other nations. There should be a second line wholly in our own keeping. I very urgently recommend an appropriation at this session for the construction of such works in our most exposed harbors.

I approve the suggestion of the Secretary of War that provision

be made for encamping companies of the National Guard in our coast works for a specified time each year, and for their training in the use of heavy guns. His suggestion that an increase of the artillery force of the Army is desirable is also in this connection commended to the consideration of Congress.

The improvement of our important rivers and harbors should be promoted by the necessary appropriations. Care should be taken that the Government is not committed to the prosecution of works not of public and general advantage, and that the relative usefulness of works of that class is not overlooked. So far as this work can ever be said to be completed, I do not doubt that the end would be sooner and more economically reached if fewer separate works were undertaken at the same time, and those selected for their greater general interest were more rapidly pushed to completion. A work once considerably begun should not be subjected to the risks and deterioration which interrupted or insufficient appropriations necessarily occasion.

The assault made by David S. Terry upon the person of Justice Field, of the Supreme Court of the United States, at Lathrop, Cal., in August last, and the killing of the assailant by a deputy United States marshal who had been deputed to accompany Justice Field and to protect him from anticipated violence at the hands of Terry, in connection with the legal proceedings which have followed, suggest questions which, in my judgment, are worthy of the attention of Congress.

I recommend that more definite provision be made by law, not only for the protection of Federal officers, but for a full trial of such cases in the United States courts. In recommending such legislation I do not at all impeach either the general adequacy of the provision made by the State laws for the protection of all citizens or the general good disposition of those charged with the execution of such laws to give protection to the officers of the United States. The duty of protecting its officers, as such, and of punishing those who assault them on account of their official acts, should not be devolved expressly or by acquiescence upon the local authorities.

Events, which have been brought to my attention happening in other parts of the country, have also suggested the propriety of extending, by legislation, fuller protection to those who may be called as witnesses in the courts of the United States. The law compels those who are supposed to have knowledge of public offenses to attend upon our courts and grand juries and to give evidence. There is a manifest resulting duty that these witnesses shall be protected from injury on account of their testimony. The investi-



gations of criminal offenses are often rendered futile, and the punishment of crime impossible, by the intimidation of witnesses.

The necessity of providing some more speedy method for disposing of the cases which now come for final adjudication to the Supreme Court becomes every year more apparent and urgent. The plan of providing some intermediate courts, having final appellate jurisdiction of certain classes of questions and cases, has, I think, received a more general approval from the bench and bar of the country than any other. Without attempting to discuss details, I recommend that provision be made for the establishment of such courts.

The salaries of the judges of the district courts in many of the districts are, in my judgment, inadequate. I recommend that all such salaries now below five thousand dollars per annum be increased to that amount. It is quite true that the amount of labor performed by these judges is very unequal, but as they can not properly engage in other pursuits to supplement their incomes, the salary should be in all such cases as to provide an independent and comfortable support.

Earnest attention should be given by Congress to a consideration of the question how far the restraint of those combinations of capital commonly called "trusts" is matter of Federal jurisdiction. When organized, as they often are, to crush out all healthy competition and to monopolize the production or sale of an article of commerce and general necessity, they are dangerous conspiracies against the public good, and should be made the subject of prohibitory and even penal legislation.

The subject of an international copyright has been frequently commended to the attention of Congress by my predecessors. The enactment of such a law would be eminently wise and just.

Our naturalization laws should be so revised as to make the inquiry into the moral character and good disposition towards our Government of the persons applying for citizenship more thorough. This can only be done by taking fuller control of the examination, by fixing the times for hearing such applications, and by requiring the presence of some one who shall represent the Government in the inquiry. Those who are the avowed enemies of social order, or who come to our shores to swell the injurious influence and to extend the evil practices of any association that defies our laws, should not only be denied citizenship but a domicile.

The enactment of a national bankrupt law of a character to be a permanent part of our general legislation is desirable. It should be simple in its methods and inexpensive in its administration.

The report of the Postmaster-General not only exhibits the oper-

ations of the Department for the last fiscal year, but contains many valuable suggestions for the improvement and extension of the service, which are commended to your attention. No other branch of the Government has so close a contact with the daily life of the people. Almost every one uses the service it offers, and every hour gained in the transmission of the great commercial mails has an actual and possible value that only those engaged in trade can understand.

The saving of one day in the transmission of the mails between New York and San Francisco, which has recently been accomplished, is an incident worthy of mention.

The plan suggested of a supervision of the post-offices in separate districts that shall involve instruction and suggestion and a rating of the efficiency of the postmasters would, I have no doubt, greatly improve the service.

A pressing necessity exists for the erection of a building for the joint use of the Department and of the city post-office. The Department was partially relieved by renting outside quarters for a part of its force, but it is again overcrowded. The building used by the city office never was fit for the purpose, and is now inadequate and unwholesome.

The unsatisfactory condition of the law relating to the transmission through the mails of lottery advertisements and remittances is clearly stated by the Postmaster-General, and his suggestion as to amendments should have your favorable consideration.

The report of the Secretary of the Navy shows a reorganization of the bureaus of the Department that will, I do not doubt, promote the efficiency of each.

In general, satisfactory progress has been made in the construction of the new ships of war authorized by Congress. The first vessel of the new Navy, the *Dolphin*, was subjected to very severe trial tests and to very much adverse criticism. But it is gratifying to be able to state that a cruise around the world, from which she has recently returned, has demonstrated that she is a first-class vessel of her rate.

The report of the Secretary shows that while the effective force of the Navy is rapidly increasing, by reason of the improved build and armament of the new ships, the number of our ships fit for sea duty grows very slowly. We had, on the 4th of March last, thirty-seven serviceable ships, and though four have since been added to the list, the total has not been increased, because in the mean time four have been lost or condemned. Twenty-six additional vessels have been authorized and appropriated for, but it is probable that when they are completed our list will only be increased to forty-two,

a gain of five. The old wooden ships are disappearing almost as fast as the new vessels are added. These facts carry their own argument. One of the new ships may, in fighting strength, be equal to two of the old, but it can not do the cruising duty of two. It is important, therefore, that we should have a more rapid increase in the number of serviceable ships. I concur in the recommendation of the Secretary that the construction of eight armored ships, three gun-boats, and five torpedo-boats be authorized.

An appalling calamity befell three of our naval vessels on duty at the Samoan Islands, in the harbor of Apia, in March last, involving the loss of four officers and forty-seven seamen, of two vessels, the *Trenton* and the *Vandalia*, and the disabling of a third, the *Nipsic*. Three vessels of the German Navy, also in the harbor, shared with our ships the force of the hurricane and suffered even more heavily. While mourning the brave officers and men who died, facing with high resolve perils greater than those of battle, it is most gratifying to state that the credit of the American Navy for seamanship, courage, and generosity was magnificently sustained in the storm-beaten harbor of Apia.

The report of the Secretary of the Interior exhibits the transactions of the Government with the Indian tribes. Substantial progress has been made in the education of the children of school age and in the allotment of lands to adult Indians. It is to be regretted that the policy of breaking up the tribal relation and of dealing with the Indian as an individual did not appear earlier in our legislation. Large reservations, held in common, and the maintenance of the authority of the chiefs and head-men have deprived the individual of every incentive to the exercise of thrift, and the annuity has contributed an affirmative impulse towards a state of confirmed pauperism.

Our treaty stipulations should be observed with fidelity, and our legislation should be highly considerate of the best interests of an ignorant and helpless people. The reservations are now generally surrounded by white settlements. We can no longer push the Indian back into the wilderness, and it remains only, by every suitable agency, to push him upward into the estate of a self-supporting and responsible citizen. For the adult, the first step is to locate him upon a farm, and for the child, to place him in a school.

School attendance should be promoted by every moral agency, and those failing, should be compelled. The national schools for Indians have been very successful, and should be multiplied, and, as far as possible, should be so organized and conducted as to facilitate the transfer of the schools to the States or Territories in which

they are located, when the Indians in a neighborhood have accepted citizenship, and have become otherwise fitted for such a transfer. This condition of things will be attained slowly, but it will be hastened by keeping it in mind. And in the mean time that coöperation between the Government and the mission schools, which has wrought much good, should be cordially and impartially maintained.

The last Congress enacted two distinct laws relating to negotiations with the Sioux Indians of Dakota for a relinquishment of a portion of their lands to the United States and for dividing the remainder into separate reservations. Both were approved on the same day—March 2. The one submitted to the Indians a specific proposition; the other (section 3 of the Indian appropriation act) authorized the President to appoint three commissioners to negotiate with these Indians for the accomplishment of the same general purpose, and required that any agreements made should be submitted to Congress for ratification.

On the 16th day of April last I appointed Hon. Charles Foster, of Ohio, Hon. William Warner, of Missouri, and Major-General George Crook, of the U. S. Army, commissioners under the last-named law. They were, however, authorized and directed, first, to submit to the Indians the definite proposition made to them by the act first mentioned, and only in the event of a failure to secure the assent of the requisite number to that proposition to open negotiations for modified terms under the other act. The work of the Commission was prolonged and arduous, but the assent of the requisite number was, it is understood, finally obtained to the proposition made by Congress, though the report of the Commission has not yet been submitted. In view of these facts, I shall not, as at present advised, deem it necessary to submit the agreement to Congress for ratification, but it will in due course be submitted for information. This agreement releases to the United States about 9,000,000 acres of land.

The Commission provided for by section 14 of the Indian appropriation bill to negotiate with the Cherokee Indians and all other Indians owning or claiming lands lying west of the ninety-sixth degree of longitude, for the cession to the United States of all such lands, was constituted by the appointment of Hon. Lucius Fairchild, of Wisconsin, Hon. John F. Hartranft, of Pennsylvania, and Hon. Alfred M. Wilson, of Arkansas, and organized on June 29 last. Their first conference with the representatives of the Cherokees was held at Tallequah, July 29, with no definite results. Gen. John F. Hartranft, of Pennsylvania, was prevented by ill-health

from taking part in the conference. His death, which occurred recently, is justly and generally lamented by a people he had served with conspicuous gallantry in war and with great fidelity in peace. The vacancy thus created was filled by the appointment of Hon. Warren G. Sayre, of Indiana.

A second conference between the Commission and the Cherokees was begun November 6, but no results have as yet been obtained, nor is it believed that a conclusion can be immediately expected. The cattle syndicate now occupying the lands for grazing purposes is clearly one of the agencies responsible for the obstruction of our negotiations with the Cherokees. The large body of agricultural lands constituting what is known as the "Cherokee Outlet" ought not to be, and indeed can not long be, held for grazing, and for the advantage of a few against the public interests and the best advantage of the Indians themselves. The United States has now under the treaties certain rights in these lands. These will not be used oppressively, but it can not be allowed that those who by sufferance occupy these lands shall interpose to defeat the wise and beneficent purposes of the Government. I can not but believe that the advantageous character of the offer made by the United States to the Cherokee Nation, for a full release of these lands, as compared with other suggestions now made to them, will yet obtain for it a favorable consideration.

Under the agreement made between the United States and the Muscogee (or Creek) Nation of Indians on the 19th day of January, 1889, an absolute title was secured by the United States to about 3,500,000 acres of land. Section 12 of the general Indian appropriation act, approved March 2, 1889, made provision for the purchase by the United States from the Seminole tribe of a certain portion of their lands. The delegates of the Seminole Nation having first duly evidenced to me their power to act in that behalf, delivered a proper release and conveyance to the United States of all the lands mentioned in the act, which was accepted by me and certified to be in compliance with the statute.

By the terms of both the acts referred to, all the lands so purchased were declared to be a part of the public domain, and open to settlement under the homestead law. But of the lands embraced in these purchases, being in the aggregate about 5,500,000 acres, 3,500,000 acres had already, under the terms of the treaty of 1896 been acquired by the United States for the purpose of settling other Indian tribes thereon, and had been appropriated to that purpose. The land remaining and available for settlement consisted of 1,887,796 acres, surrounded on all sides by lands in the occupancy of Indian tribes.

Congress had provided no civil government for the people who were to be invited by my proclamation to settle upon these lands, except as the new court, which had been established at Muscogee, or the United States courts in some of the adjoining States, had power to enforce the general laws of the United States.

In this condition of things I was quite reluctant to open the lands to settlement. But in view of the fact that several thousand persons, many of them with their families, had gathered upon the borders of the Indian Territory, with a view to securing homesteads on the ceded lands, and that delay would involve them in much loss and suffering, I did, on the 23d day of March last, issue a proclamation declaring that the lands therein described would be open to settlement under the provisions of the law on the 22d day of April following, at 12 o'clock noon. Two land districts had been established and the offices were open for the transaction of business when the appointed time arrived.

It is much to the credit of the settlers that they very generally observed the limitation as to the time when they might enter the Territory. Care will be taken that those who entered in violation of the law do not secure the advantage they unfairly sought. There was a good deal of apprehension that the strife for locations would result in much violence and bloodshed, but happily these anticipations were not realized. It is estimated that there are now in the Territory about sixty thousand people; and several considerable towns have sprung up, for which temporary municipal governments have been organized. Guthrie is said to have now a population of almost 8,000. Eleven schools and nine churches have been established, and three daily and five weekly newspapers are published in this city, whose charter and ordinances have only the sanction of the voluntary acquiescence of the people from day to day.

Oklahoma City has a population of about five thousand, and is proportionately as well provided as Guthrie with churches, schools, and newspapers. Other towns and villages having populations of from one hundred to a thousand are scattered over the Territory.

In order to secure the peace of this new community, in the absence of civil government, I directed General Merritt, commanding the Department of the Missouri, to act in conjunction with the marshals of the United States to preserve the peace, and upon their requisition to use the troops to aid them in executing warrants and in quieting any riots or breaches of the peace that might occur. He was further directed to use his influence to promote good order and to avoid any conflicts between or with the settlers. Believing that the introduction and sale of liquors, where no legal restraints or

regulations existed, would endanger the public peace, and in view of the fact that such liquors must first be introduced into the Indian reservations before reaching the white settlements, I further directed the general commanding to enforce the laws relating to the introduction of ardent spirits into the Indian country.

The presence of the troops has given a sense of security to the well-disposed citizens, and has tended to restrain the lawless. In one instance the officer in immediate command of the troops went further than I deemed justifiable in supporting the *de facto* municipal government of Guthrie, and he was so informed and directed to limit the interference of the military to the support of the marshals on the lines indicated in the original order. I very urgently recommend that Congress at once provide a Territorial government for these people. Serious questions, which may at any time lead to violent outbreaks, are awaiting the institution of courts for their peaceful adjustment. The American genius for self-government has been well illustrated in Oklahoma, but it is neither safe nor wise to leave these people longer to the expedients which have temporarily served them.

Provision should be made for the acquisition of title to town lots in the towns now established in Alaska, for locating town sites and for the establishment of municipal governments. Only the mining laws have been extended to that Territory, and no other form of title to lands can now be obtained. The general land laws were framed with reference to the disposition of agricultural lands, and it is doubtful if their operation in Alaska would be beneficial.

We have fortunately not extended to Alaska the mistaken policy of establishing reservations for the Indian tribes, and can deal with them from the beginning as individuals with, I am sure, better results. But any disposition of the public lands and any regulations relating to timber and to the fisheries should have a kindly regard to their interests. Having no power to levy taxes, the people of Alaska are wholly dependent upon the general Government, to whose revenues the seal fisheries make a large annual contribution. An appropriation for education should neither be overlooked nor stinted.

The smallness of the population and the great distances between the settlements offer serious obstacles to the establishment of the usual Territorial form of government. Perhaps the organization of several subdistricts, with a small municipal council of limited powers for each, would be safe and useful.

Attention is called in this connection to the suggestions of the Secretary of the Treasury relating to the establishment of another

port of entry in Alaska, and of other needed customs facilities and regulations.

In the administration of the land laws the policy of facilitating, in every proper way, the adjustment of the honest claims of individual settlers upon the public lands has been pursued. The number of pending cases had, during the preceding administration, been greatly increased under the operation of orders for a time suspending final action in a large part of the cases originating in the West and Northwest, and by the subsequent use of unusual methods of examination. Only those who are familiar with the conditions under which our agricultural lands have been settled can appreciate the serious and often fatal consequences to the settler of a policy that puts his title under suspicion, or delays the issuance of his patent. While care is taken to prevent and to expose fraud, it should not be imputed without reason.

The manifest purpose of the homestead and preëmption laws was to promote the settlement of the public domain by persons having a bona-fide intent to make a home upon the selected lands. Where this intent is well established and the requirements of the law have been substantially complied with, the claimant is entitled to a prompt and friendly consideration of his case. But where there is reason to believe that the claimant is the mere agent of another who is seeking to evade a law intended to promote small holdings and to secure by fraudulent methods large tracts of timber and other lands, both principal and agent should not only be thwarted in their fraudulent purpose, but should be made to feel the full penalties of our criminal statutes. The laws should be so administered as not to confound these two classes, and to visit penalties only upon the latter.

The unsettled state of the titles to large bodies of lands in the Territories of New Mexico and Arizona has greatly retarded the development of those Territories. Provision should be made by law for the prompt trial and final adjustment, before a judicial tribunal or commission, of all claims based upon Mexican grants. It is not just to an intelligent and enterprising people that their peace should be disturbed and their prosperity retarded by these old contentions. I express the hope that differences of opinion as to methods may yield to the urgency of the case.

The law now provides a pension for every soldier and sailor who was mustered into the service of the United States during the civil war and is now suffering from wounds or disease having an origin in the service and in the line of duty. Two of the three necessary facts, viz, muster and disability, are usually susceptible of easy



proof; but the third, origin in the service, is often difficult, and many deserving cases impossible to establish. That very many of those who endured the hardships of our most bloody and arduous campaigns are now disabled from diseases that had a real but not traceable origin in the service I do not doubt. Besides these there is another class composed of men, many of whom served an enlistment of three full years, and of reënlisted veterans who added a fourth year of service, who escaped the casualties of battle and the assaults of disease, who were always ready for any detail, who were in every battle line of their command, and were mustered out in sound health, and have, since the close of the war, while fighting with the same indomitable and independent spirit the contests of civil life, been overcome by disease or casualty.

I am not unaware that the pension-roll already involves a very large annual expenditure, neither am I deterred by that fact from recommending that Congress grant a pension to such honorably discharged soldiers and sailors of the civil war as having rendered substantial service during the war are now dependent upon their own labor for a maintenance, and by disease or casualty are incapacitated from earning it. Many of the men who would be included in this form of relief are now dependent upon public aid, and it does not, in my judgment, consist with the national honor that they shall continue to subsist upon the local relief given indiscriminately to paupers instead of upon the special and generous provision of the nation they served so gallantly and unselfishly. Our people will, I am sure, very generally approve such legislation. And I am equally sure that the survivors of the Union Army and Navy will feel a grateful sense of relief when this worthy and suffering class of their comrades is fairly cared for.

There are some manifest inequalities in the existing law that should be remedied. To some of these the Secretary of the Interior has called attention.

It is gratifying to be able to state that by the adoption of new and better methods in the War Department the calls of the Pension Office for information as to the military and hospital records of pension claimants are now promptly answered, and the injurious and vexatious delays that have heretofore occurred are entirely avoided. This will greatly facilitate the adjustment of all pending claims.

The advent of four new States, South Dakota, North Dakota, Montana and Washington, into the Union under the Constitution, in the same month, and the admission of their duly chosen representatives to our National Congress at the same session, is an event as unexampled as it is interesting.

The certification of the votes cast and of the constitutions adopted in each of the States was filed with me as required by the eighth section of the act of February 22, 1889, by the governors of said Territories respectively. Having, after a careful examination, found that the several constitutions and governments were republican in form and not repugnant to the Constitution of the United States, that all the provisions of the act of Congress had been complied with, and that a majority of the votes cast in each of said proposed States was in favor of the adoption of the constitution submitted therein, I did so declare by a separate proclamation as to each; as to North Dakota and South Dakota on Saturday, November 2; as to Montana on Friday, November 8, and as to Washington on Monday, November 11.

Each of these States has within its resources the development of which will employ the energies of, and yield a comfortable subsistence to, a great population. The smallest of these new States, Washington, stands twelfth, and the largest, Montana, third, among the forty-two in area. The people of these States are already well trained, intelligent, and patriotic American citizens, having common interests and sympathies with those of the older States, and a common purpose to defend the integrity and uphold the honor of the nation.

The attention of the Interstate Commerce Commission has been called to the urgent need of Congressional legislation for the better protection of the lives and limbs of those engaged in operating the great interstate freight lines of the country, and especially of the yard-men and brakemen. A petition, signed by nearly 10,000 railway brakemen was presented to the Commission, asking that steps might be taken to bring about the use of automatic brakes and couplers on freight cars.

At a meeting of State railroad commissioners and their accredited representatives, held at Washington in March last, upon the invitation of the Interstate Commerce Commission, a resolution was unanimously adopted urging the Commission "to consider what can be done to prevent the loss of life and limb in coupling and uncoupling freight cars, and in handling the brakes of such cars." During the year ending June 30, 1888, over 2,000 railroad employes were killed in service and more than 20,000 injured. It is competent, I think, for Congress to require uniformity in the construction of cars used in interstate commerce, and the use of improved safety appliances upon such trains. Time will be necessary to make the needed changes, but an earnest and intelligent beginning should be made at once. It is a reproach to our civilization that any class of

American workmen should, in the pursuit of a necessary and useful vocation, be subjected to a peril of life and limb as great as that of a soldier in time of war.

The creation of an executive department, to be known as the Department of Agriculture, by the act of February 9 last, was a wise and timely response to a request which had long been respectfully urged by the farmers of the country. But much remains to be done to perfect the organization of the Department so that it may fairly realize the expectations which its creation excited. In this connection attention is called to the suggestions contained in the report of the Secretary, which is herewith submitted. The need of a law officer for the Department, such as is provided for the other Executive Departments, is manifest. The failure of the last Congress to make the usual provision for the publication of the annual report should be promptly remedied. The public interest in the report and its value to the farming community I am sure will not be diminished under the new organization of the Department.

I recommend that the Weather Service be separated from the War Department and established as a Bureau in the Department of Agriculture. This will involve an entire reorganization both of the Weather Bureau and of the Signal Corps, making of the first a purely civil organization and of the other a purely military staff corps. The report of the Chief Signal Officer shows that the work of the corps on its military side has been deteriorating.

The interests of the people of the District of Columbia should not be lost sight of in the pressure for consideration of measures affecting the whole country. Having no legislature of its own, either municipal or general, its people must look to Congress for the regulation of all those concerns that, in the States, are the subject of local control. Our whole people have an interest that the National Capital should be made attractive and beautiful, and above all that its repute for social order should be well maintained. The laws regulating the sale of intoxicating drinks in the District should be revised with a view to bringing the traffic under stringent limitations and control.

In execution of the power conferred upon me by the act making appropriations for the expenses of the District of Columbia for the year ending June 30, 1890, I did, on the 17th day of August last, appoint Rudolph Hering, of New York, Samuel M. Gray, of Rhode Island, and Frederick P. Stearns, of Massachusetts, three eminent sanitary engineers, to examine and report upon the system of sewerage existing in the District of Columbia. Their report, which is not yet completed, will be in due course submitted to Congress.

The report of the Commissioners of the District is herewith transmitted, and the attention of Congress is called to the suggestions contained therein.

The proposition to observe the four hundredth anniversary of the discovery of America by the opening of a world's fair or exposition in some one of our great cities will be presented for the consideration of Congress. The value and interest of such an exposition may well claim the promotion of the General Government.

On the 4th of March last the Civil Service Commission had but a single member. The vacancies were filled on the 7th day of May, and since then the Commissioners have been industriously, though with an inadequate force, engaged in executing the law. They were assured by me that a cordial support would be given them in the faithful and impartial enforcement of the statute and of the rules and regulations adopted in aid of it.

Heretofore the book of eligibles has been closed to every one, except as certification were made upon the requisition of the appointing officers. This secrecy was the source of much suspicion, and of many charges of favoritism in the administration of the law. What is secret is always suspected; what is open can be judged. The Commission, with the full approval of all its members, has now opened the list of eligibles to the public. The eligible lists for the classified post-offices and custom-houses are now publicly posted in the respective offices, as are also the certifications for appointments. The purpose of the civil-service law was absolutely to exclude any other consideration in connection with appointments under it than that of merit as tested by the examinations. The business proceeds upon the theory that both the examining boards and the appointing-officers are absolutely ignorant as to the political views and associations of all persons on the civil-service lists. It is not too much to say, however, that some recent Congressional investigations have somewhat shaken public confidence in the impartiality of the selections for appointment.

The reform of the civil service will make no safe or satisfactory advance until the present law and its equal administration are well established in the confidence of the people. It will be my pleasure, as it is my duty, to see that the law is executed with firmness and impartiality. If some of its provisions have been fraudulently evaded by appointing-officers, our resentment should not suggest the repeal of the law, but reform in its administration. We should have one view of the matter, and hold it with a sincerity that is not affected by the consideration that the party to which we belong is for the time in power.

My predecessor, on the 4th day of January, 1889, by an executive order to take effect March 15, brought the Railway Mail Service under the operation of the civil-service law. Provision was made that the order should take effect sooner in any State where an eligible list was sooner obtained. On the 11th day of March, Mr. Lyman, then the only member of the Commission, reported to me in writing that it would not be possible to have the list of eligibles ready before May 1, and requested that the taking effect of the order be postponed until that time, which was done, subject to the same provision contained in the original order as to States in which an eligible list was sooner obtained.

As a result of the revision of the rules, of the new classification, and of the inclusion of the Railway Mail Service, the work of the Commission has been greatly increased, and the present clerical force is found to be inadequate. I recommend that the additional clerks asked by the Commission be appropriated for.

The duty of appointment is devolved by the Constitution or by the law, and the appointing officers are properly held to a high responsibility in its exercise. The growth of the country and the consequent increase of the civil list have magnified this function of the Executive disproportionately. It can not be denied, however, that the labor connected with this necessary work is increased, often to the point of actual distress, by the sudden and excessive demands that are made upon an incoming administration for removals and appointments. But, on the other hand, it is not true that incumbency is a conclusive argument for a continuance in office. Impartiality, moderation, fidelity to public duty, and a good attainment in the discharge of it must be added before the argument is complete. When those holding administrative offices so conduct themselves as to convince just political opponents that no party consideration or bias affects in any way the discharge of their public duties, we can more easily stay the demand for removals.

I am satisfied that both in and out of the classified service great benefit would accrue from the adoption of some system by which the officer would receive the distinction and benefit that, in all private employments, comes from exceptional faithfulness and efficiency in the performance of duty.

I have suggested to the heads of the executive departments that they consider whether a record might not be kept in each bureau of all those elements that are covered by the terms "faithfulness" and "efficiency," and a rating made showing the relative merits of the clerks of each class, this rating to be regarded as a test of merit in making promotions.

I have also suggested to the Postmaster-General that he adopt some plan by which he can, upon the basis of the reports to the Department and of frequent inspections, indicate the relative merit of postmasters of each class. They will be appropriately indicated in the official register and in the report of the Department. That a great stimulus would thus be given to the whole service I do not doubt, and such a record would be the best defense against inconsiderate removals from office.

The interest of the General Government in the education of the people found an early expression, not only in the thoughtful and sometimes warning utterances of our ablest statesmen, but in liberal appropriations from the common resources for the support of education in the new States. No one will deny that it is of the gravest national concern that those who hold the ultimate control of all public affairs should have the necessary intelligence wisely to direct and determine them. National aid to education has heretofore taken the form of land grants, and in that form the constitutional power of Congress to promote the education of the people is not seriously questioned. I do not think it can be successfully questioned when the form is changed to that of a direct grant of money from the public treasury.

Such aid should be, as it always has been, suggested by some exceptional conditions. The sudden emancipation of the slaves of the South, the bestowal of the suffrage, which soon followed, and the impairment of the ability of the States where these new citizens were chiefly found to adequately provide educational facilities, presented not only exceptional but unexampled conditions. That the situation has been much ameliorated there is no doubt. The ability and interest of the States have happily increased.

But a great work remains to be done, and I think the General Government should lend its aid. As the suggestion of a national grant in aid of education grows chiefly out of the condition and needs of the emancipated slave and his descendants, the relief should, as far as possible, while necessarily proceeding upon some general lines, be applied to the need that suggested it. It is essential, if much good is to be accomplished, that the sympathy and active interest of the people of the States should be enlisted, and that the methods adopted should be such as to stimulate and not to supplant local taxation for school purposes.

As one Congress can not bind a succeeding one in such a case, and as the effort must, in some degree, be experimental, I recommend that any appropriation made for this purpose be so limited in annual amount and as to the time over which it is to extend as will, on

the one hand, give the local school authorities opportunity to make the best use of the first year's allowance, and on the other deliver them from the temptation to unduly postpone the assumption of the whole burden themselves.

The colored people did not intrude themselves upon us; they were brought here in chains and held in the communities where they are now chiefly found, by a cruel slave code. Happily for both races they are now free. They have, from a stand-point of ignorance and poverty, which was our shame, not theirs, made remarkable advances in education and in the acquisition of property. They have, as a people, shown themselves to be friendly and faithful towards the white race, under temptations of tremendous strength. They have their representatives in the national cemeteries where a grateful Government has gathered the ashes of those who died in its defense. They have furnished to our regular Army regiments that have won high praise from their commanding officers for courage and soldierly qualities, and for fidelity to the enlistment oath. In civil life they are now the toilers of their communities, making their full contribution to the widening streams of prosperity which these communities are receiving. Their sudden withdrawal would stop production and bring disorder into the household as well as the shop. Generally they do not desire to quit their homes, and their employers resent the interference of the emigration agents who seek to stimulate such a desire.

But, notwithstanding all this, in many parts of our country where the colored population is large the people of that race are, by various devices, deprived of any effective exercise of their political rights and of many of their civil rights. The wrong does not expend itself upon those whose votes are suppressed. Every constituency in the Union is wrong.

It has been the hope of every patriot that a sense of justice and of respect for the law would work a gradual cure of these flagrant evils. Surely, no one supposes that the present can be accepted as a permanent condition. If it is said that these communities must work out this problem for themselves, we have a right to ask whether they are at work upon it. Do they suggest any solution? When and under what conditions is the black man to have a free ballot? When is he in fact to have those full civil rights which have so long been his in law? When is that equality of influence which our form of government was intended to secure to the electors to be restored? This generation should courageously face these grave questions, and not leave them as a heritage of woe to the next. The consultation should proceed with candor, calmness, and great

patience; upon the lines of justice and humanity, not of prejudice and cruelty. No question in our country can be at rest except upon the firm base of justice and of the law.

I earnestly invoke the attention of Congress to the consideration of such measures within its well-defined constitutional powers as will secure to all our people a free exercise of the right of suffrage and every other civil right under the Constitution and laws of the United States. No evil, however deplorable, can justify the assumption, either on the part of the Executive or of Congress, of powers not granted; but both will be highly blamable if all the powers granted are not wisely but firmly used to correct these evils. The power to take the whole direction and control of the election of members of the House of Representatives is clearly given to the General Government. A partial and qualified supervision of these elections is now provided for by law, and in my opinion this law may be so strengthened and extended as to secure, on the whole, better results than can be attained by a law taking all the processes of such election into Federal control. The colored man should be protected in all of his relations to the Federal Government, whether as litigant, juror, or witness in our courts, as an elector for members of Congress, or as a peaceful traveler upon our interstate railways.

There is nothing more justly humiliating to the national pride, and nothing more hurtful to the national prosperity than the inferiority of our merchant marine compared with that of other nations whose general resources, wealth, and seacoast lines do not suggest any reason for their supremacy on the sea. It was not always so, and our people are agreed, I think, that it shall not continue to be so. It is not possible in this communication to discuss the causes of the decay of our shipping interests or the differing methods by which it is proposed to restore them. The statement of a few well-authenticated facts and some general suggestions as to legislation is all that is practicable. That the great steamship lines sailing under the flags of England, France, Germany, Spain, and Italy, and engaged in foreign commerce, were promoted, and have since been and now are liberally aided, by grants of public money, in one form or another, is generally known. That the American lines of steamships have been abandoned by us to an unequal contest with the aided lines of other nations until they have been withdrawn, or, in the few cases where they are still maintained, are subject to serious disadvantages, is matter of common knowledge.

The present situation is such that travelers and merchandise find Liverpool often a necessary intermediate port between New York and some of the South American capitals. The fact that some of



the delegates from South American states to the Conference of American Nations, now in session at Washington, reached our shores by reversing that line of travel, is very conclusive of the need of such a conference, and very suggestive as to the first and most necessary step in the direction of fuller and more beneficial intercourse with nations that are now our neighbors upon the lines of latitude, but not upon the lines of established commercial intercourse.

I recommend that such appropriations be made for ocean-mail service, in American steamships, between our ports and those of Central and South America, China, Japan, and the important islands in both of the great oceans, as will be liberally remunerative for the service rendered, and as will encourage the establishment and in some fair degree equalize the chances of American steamship lines in the competitions which they must meet. That the American states lying south of us will cordially cooperate in establishing and maintaining such lines of steamships to their principal ports I do not doubt.

We should also make provision for a naval reserve to consist of such merchant ships, of American construction and of a specified tonnage and speed, as the owners will consent to place at the use of the Government, in case of need, as armed cruisers. England has adopted this policy, and as a result can now, upon necessity, at once place upon her naval list some of the fastest steamships in the world. A proper supervision of the construction of such vessels would make their conversion into effective ships of war very easy.

I am an advocate of economy in our national expenditures, but it is a misuse of terms to make this word describe a policy that withholds an expenditure for the purpose of extending our foreign commerce. The enlargement and improvement of our merchant marine, the development of a sufficient body of trained American seamen, the promotion of rapid and regular mail communication between the ports of other countries and our own, and the adaptation of large and swift American merchant steamships to naval uses, in time of war, are public purposes of the highest concern. The enlarged participation of our people in the carrying trade, the new and increased markets that will be opened for the products of our farms and factories, and the fuller and better employment of our mechanics, which will result from a liberal promotion of our foreign commerce, insure the widest possible diffusion of benefit to all the States and to all our people. Everything is most propitious for the present inauguration of a liberal and progressive policy

upon this subject, and we should enter upon it with promptness and decision.

The legislation which I have suggested, it is sincerely believed, will promote the peace and honor of our country and the prosperity and security of the people. I invoke the diligent and serious attention of Congress to the consideration of these and such other measures as may be presented, having the same great end in view.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*Washington, December 3, 1889.*

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## II.

DECEMBER 1, 1890.

*To the Senate and House of Representatives:*

The reports of the several Executive Departments which will be laid before Congress in the usual course will exhibit in detail the operations of the Government for the last fiscal year. Only the more important incidents and results, and chiefly such as may be the foundation of the recommendations I shall submit, will be referred to in this annual message.

The vast and increasing business of the Government has been transacted by the several departments during the year with faithfulness, energy, and success. The revenues, amounting to above four hundred and fifty million dollars, have been collected and disbursed without revealing, so far as I can ascertain, a single case of defalcation or embezzlement. An earnest effort has been made to stimulate a sense of responsibility and public duty in all officers and employes of every grade, and the work done by them has almost wholly escaped unfavorable criticism. I speak of these matters with freedom because the credit of this good work is not mine, but is shared by the heads of the several departments with the great body of faithful officers and employes who serve under them. The closest scrutiny of Congress is invited to all the methods of administration and to every item of expenditure.

The friendly relations of our country with the nations of Europe and of the East have been undisturbed, while the ties of good will and common interest that bind us to the states of the Western Hemisphere have been notably strengthened by the conference held in this capital to consider measures for the general welfare. Pursuant to the invitation authorized by Congress, the representatives of every

independent state of the American Continent and of Haiti met in conference in this capital in October, 1889, and continued in session until the 19th of last April. This important convocation marks a most interesting and influential epoch in the history of the Western Hemisphere. It is noteworthy that Brazil, invited while under an imperial form of government, shared as a Republic in the deliberations and results of the conference. The recommendations of this conference were all transmitted to Congress at the last session.

The International Marine Conference, which sat at Washington last winter, reached a very gratifying result. The regulations suggested have been brought to the attention of all the governments represented, and their general adoption is confidently expected. The legislation of Congress at the last session is in conformity with the propositions of the conference, and the proclamation therein provided for will be issued when the other powers have given notice of their adhesion.

The conference of Brussels, to devise means for suppressing the slave trade in Africa, afforded an opportunity for a new expression of the interest the American people feel in that great work. It soon became evident that the measure proposed would tax the resources of the Congo Basin beyond the revenues available under the general act of Berlin of 1884. The United States, not being a party to that act, could not share in its revision, but by a separate act the independent State of the Congo was freed from the restrictions upon a customs revenue. The demoralizing and destructive traffic in ardent spirits among the tribes also claimed the earnest attention of the conference, and the delegates of the United States were foremost in advocating measures for its repression. An accord was reached, the influence of which will be very helpful and extend over a wide region. As soon as these measures shall receive the sanction of the Netherlands, for a time withheld, the general acts will be submitted for ratification by the Senate. Meanwhile negotiations have been opened for a new and complete treaty of friendship, commerce, and navigation between the United States and the independent State of the Congo.

Toward the end of the past year the only independent monarchical government on the Western Continent, that of Brazil, ceased to exist and was succeeded by a Republic. Diplomatic relations were at once established with the new government, but it was not completely recognized until an opportunity had been afforded to ascertain that it had popular approval and support. When the course of events had yielded assurance of this fact, no time was lost in extending to the new government a full and cordial welcome into the family of

American commonwealths. It is confidently believed that the good relations of the two countries will be preserved, and that the future will witness an increased intimacy of intercourse and an expansion of their mutual commerce.

The peace of Central America has again been disturbed through a revolutionary change in Salvador, which was not recognized by other States, and hostilities broke out between Salvador and Guatemala, threatening to involve all Central America in conflict and to undo the progress which had been made toward a union of their interests. The efforts of this Government were promptly and zealously exerted to compose their differences and through the active efforts of the representative of the United States a provisional treaty of peace was signed August 26, whereby the right of the Republic of Salvador to choose its own rulers was recognized. General Ezeta, the chief of the provisional government, has since been confirmed in the Presidency by the Assembly, and diplomatic recognition duly followed.

The killing of General Barrundia on board the Pacific mail steamer *Acapulco*, while anchored in transit in the port of San José de Guatemala, demanded careful inquiry. Having failed in a revolutionary attempt to invade Guatemala from Mexican territory, General Barrundia took passage at Acapulco for Panama. The consent of the representatives of the United States was sought to effect his seizure, first at Champerico, where the steamer touched, and afterwards at San José. The captain of the steamer refused to give up his passenger without a written order from the United States minister; the latter furnished the desired letter, stipulating, as the condition of his action, that General Barrundia's life should be spared and that he should be tried only for offenses growing out of his insurrectionary movements. This letter was produced to the captain of the *Acapulco* by the military commander at San José, as his warrant to take the passenger from the steamer. General Barrundia resisted capture and was killed. It being evident that the minister, Mr. Mizner, had exceeded the bounds of his authority in intervening, in compliance with the demands of the Guatemalan authorities, to authorize and effect, in violation of precedent, the seizure on a vessel of the United States of a passenger in transit charged with political offenses, in order that he might be tried for such offenses under what was described as martial law, I was constrained to disavow Mr. Mizner's act and recall him from his post.

The Nicaragua Canal project, under the control of our citizens, is making most encouraging progress, all the preliminary conditions

and initial operations having been accomplished within the prescribed time.

During the past year negotiations have been renewed for the settlement of the claims of American citizens against the Government of Chile, principally growing out of the late war with Peru. The reports from our minister at Santiago warrant the expectation of an early and satisfactory adjustment.

Our relations with China, which have for several years occupied so important a place in our diplomatic history, have called for careful consideration and have been the subject of much correspondence.

The communications of the Chinese minister have brought into view the whole subject of our conventional relations with his country; and at the same time this Government, through its legation at Peking, has sought to arrange various matters and complaints touching the interests and protection of our citizens in China.

In pursuance of the concurrent resolution of October 1, 1890, I have proposed to the Governments of Mexico and Great Britain to consider a conventional regulation of the passage of Chinese laborers across our southern and northern frontiers,

On the 22d day of August last Sir Edmund Monson, the arbitrator selected under the treaty of December 6, 1888, rendered an award to the effect that no compensation was due from the Danish Government to the United States on account of what is commonly known as the Carlos Butterfield claim.

Our relations with the French Republic continue to be cordial. Our representative at that court has very diligently urged the removal of the restrictions imposed upon our meat products, and it is believed that substantial progress has been made towards a just settlement.

The Samoan treaty, signed last year at Berlin by the representatives of the United States, Germany, and Great Britain, after due ratification and exchange, has begun to produce salutary effects. The formation of the government agreed upon will soon replace the disorder of the past by a stable administration, alike just to the natives and equitable to the three powers most concerned in trade and intercourse with the Samoan Islands. The chief justice has been chosen by the King of Sweden and Norway, on the invitation of the three powers, and will soon be installed. The land commission and the municipal council are in process of organization. A rational and evenly distributed scheme of taxation, both municipal and upon imports, is in operation. Malietoa is respected as King.

The new treaty of extradition with Great Britain, after due

ratification, was proclaimed on the 25th of last March. Its beneficial working is already apparent.

The difference between the two Governments touching the fur-seal question in the Bering Sea is not yet adjusted, as will be seen by the correspondence which will soon be laid before Congress. The offer to submit the question to arbitration, as proposed by Her Majesty's Government, has not been accepted, for the reason that the form of submission proposed is not thought to be calculated to assure a conclusion satisfactory to either party. It is sincerely hoped that before the opening of another sealing season some arrangement may be effected which will assure to the United States a property right, derived from Russia, which was not disregarded by any nation for more than eighty years preceding the outbreak of the existing trouble.

In the tariff act a wrong was done to the Kingdom of Hawaii which I am bound to presume was wholly unintentional. Duties were levied on certain commodities which are included in the reciprocity treaty now existing between the United States and the Kingdom of Hawaii, without indicating the necessary exception in favor of that Kingdom. I hope Congress will repair what might otherwise seem to be a breach of faith on the part of this Government.

An award in favor of the United States in the matter of the claim of Mr. Van Bokkelen against Haiti was rendered on the 4th of December, 1888, but owing to disorders then and afterwards prevailing in Haiti the terms of payment were not observed. A new agreement as to the time of payment has been approved and is now in force. Other just claims of citizens of the United States for redress of wrongs suffered during the late political conflict in Haiti will, it is hoped, speedily yield to friendly treatment.

Propositions for the amendment of the treaty of extradition between the United States and Italy are now under consideration.

You will be asked to provide the means of accepting the invitation of the Italian Government to take part in an approaching conference to consider the adoption of a universal prime meridian from which to reckon longitude and time. As this proposal follows in the track of the reform sought to be initiated by the Meridian Conference of Washington, held on the invitation of this Government, the United States should manifest a friendly interest in the Italian proposal.

In this connection I may refer with approval to the suggestion of my predecessors, that standing provision be made for accepting, whenever deemed advisable, the frequent invitations of foreign governments to share in conferences looking to the advancement of

international reforms in regard to science, sanitation, commercial laws and procedure, and other matters affecting the intercourse and progress of modern communities.

In the summer of 1889 an incident occurred which for some time threatened to interrupt the cordiality of our relations with the Government of Portugal. That Government seized the Delagoa Bay Railway, which was constructed under a concession granted to an American citizen, and at the same time annulled the charter. The concessionary, who had embarked his fortune in the enterprise, having exhausted other means of redress, was compelled to invoke the protection of his government. Our representations, made coincidentally with those of the British Government, whose subjects were also largely interested, happily resulted in the recognition by Portugal of the propriety of submitting the claim for indemnity, growing out of its action, to arbitration. This plan of settlement having been agreed upon, the interested powers readily concurred in the proposal to submit the case to the judgment of three eminent jurists, to be designated by the president of the Swiss Republic, who, upon the joint invitation of the Governments of the United States, Great Britain, and Portugal, has selected persons well qualified for the task before them.

The revision of our treaty relations with the Empire of Japan has continued to be the subject of consideration and of correspondence. The questions involved are both grave and delicate; and, while it will be my duty to see that the interests of the United States are not by any changes exposed to undue discrimination, I sincerely hope that such revision as will satisfy the legitimate expectations of the Japanese Government, and maintain the present and long existing friendly relations between Japan and the United States, will be effected.

The friendship between our country and Mexico, born of close neighborhood and strengthened by many considerations of intimate intercourse and reciprocal interest, has never been more conspicuous than now, nor more hopeful of increased benefit to both nations. The intercourse of the two countries by rail, already great, is making constant growth. The established lines, and those recently projected, add to the intimacy of traffic and open new channels of access to fresh areas of demand and supply. The importance of the Mexican railway system will be further enhanced, to a degree almost impossible to forecast, if it should become a link in the projected intercontinental railway. I recommend that our mission in the City of Mexico be raised to the first class.

The cordial character of our relations with Spain warrants the

hope that by the continuance of methods of friendly negotiation much may be accomplished in the direction of an adjustment of pending questions and of the increase of our trade. The extent and development of our trade with the island of Cuba invest the commercial relations of the United States and Spain with a peculiar importance. It is not doubted that a special arrangement in regard to commerce, based upon the reciprocity provision of the recent tariff act, would operate most beneficially for both Governments. This subject is now receiving attention.

The restoration of the remains of John Ericsson to Sweden afforded a gratifying occasion to honor the memory of the great inventor, to whose genius our country owes so much, and to bear witness to the unbroken friendship which has existed between the land which bore him and our own, which claimed him as a citizen.

On the 2d of September last the Commission appointed to revise the proceedings of the commission under the claims convention between the United States and Venezuela of 1866 brought its labors to a close within the period fixed for that purpose. The proceedings of the late Commission were characterized by a spirit of impartiality and a high sense of justice, and an incident which was for many years the subject of discussion between the two Governments has been disposed of in a manner alike honorable and satisfactory to both parties. For the settlement of the claim of the Venezuela Steam Transportation Company, which was a subject of a joint resolution adopted at the last session of Congress, negotiations are still in progress, and their early conclusion is anticipated.

The legislation of the past few years has evinced on the part of Congress a growing realization of the importance of the consular service in fostering our commercial relations abroad and in protecting the domestic revenues. As the scope of operations expands, increased provision must be made to keep up the essential standard of efficiency. The necessity of some adequate measure of supervision and inspection has been so often presented that I need only commend the subject to your attention.

The revenues of the Government from all sources for the fiscal year ending June 30, 1890, were \$463,963,080.55, and the total expenditures for the same period were \$358,618,584.52. The postal receipts have not heretofore been included in the statement of these aggregates, and for the purpose of comparison the sum of \$60,882,097.92 should be deducted from both sides of the account. The surplus for the year, including the amount applied to the sinking fund, was \$105,344,496.03. The receipts for 1890 were \$16,030,923.79 and the expenditures \$15,739,871 in excess of those



of 1889. The customs receipts increased \$5,835,842.88 and the receipts from internal revenue \$11,725,191.89, while, on the side of expenditures, that for pensions was \$19,312,075.96 in excess of the preceding year.

The Treasury statement for the current fiscal year, partly actual and partly estimated, is as follows: Receipts from all sources, \$406,000,000; total expenditures, \$354,000,000, leaving a surplus of \$52,000,000—not taking the postal receipts into the account on either side. The loss of revenue from customs for the last quarter is estimated at \$25,000,000, but from this is deducted a gain of about \$16,000,000, realized during the first four months of the year.

For the year 1892 the total estimated receipts are \$373,000,000 and the estimated expenditures \$357,852,209.42, leaving an estimated surplus of \$15,147,790.58, which, with a cash balance of \$52,000,000 at the beginning of the year, will give \$67,147,790.58 as the sum available for the redemption of outstanding bonds or other uses. The estimates of receipts and expenditures for the Post-Office Department, being equal, are not included in this statement on either side.

The act "directing the purchase of silver bullion and the issue of Treasury notes thereon," approved July 14, 1890, has been administered by the Secretary of the Treasury with an earnest purpose to get into circulation at the earliest possible dates the full monthly amounts of Treasury notes contemplated by its provisions and at the same time to give to the market for silver bullion such support as the law contemplates. The recent depreciation in the price of silver has been observed with regret. The rapid rise in price which anticipated and followed the passage of the act was influenced in some degree by speculation, and the recent reaction is in part the result of the same cause and in part of the recent monetary disturbances. Some months of further trial will be necessary to determine the permanent effect of the recent legislation upon silver values, but it is gratifying to know that the increased circulation secured by the act has exerted and will continue to exert a most beneficial influence upon business and upon general values.

While it has not been thought best to renew formally the suggestion of an international conference looking to an agreement touching the full use of silver for coinage at a uniform ratio, care has been taken to observe closely any change in the situation abroad, and no favorable opportunity will be lost to promote a result which it is confidently believed would confer very large benefits upon the commerce of the world.

The recent monetary disturbances in England are not unlikely

to suggest a reëxamination of opinions upon this subject. Our very large supply of gold will, if not lost by impulsive legislation in the supposed interest of silver, give us a position of advantage in promoting a permanent and safe international agreement for the free use of silver as a coin metal.

The efforts of the Secretary to increase the volume of money in circulation by keeping down the Treasury surplus to the lowest practicable limit have been unremitting and in a very high degree successful. The tables presented by him, showing the increase of money in circulation during the last two decades, and especially the table showing the increase during the nineteen months he has administered the affairs of the Department, are interesting and instructive. The increase of money in circulation during the nineteen months has been in the aggregate \$93,866,813, or about \$1.50 per capita, and of this increase only \$7,100,000 was due to the recent silver legislation. That this substantial and needed aid given to commerce resulted in an enormous reduction of the public debt and of the annual interest charge is matter of increased satisfaction. There have been purchased and redeemed since March 4, 1889, 4 and 4½ per cent bonds to the amount of \$211,832,450, at a cost of \$246,620,741, resulting in the reduction of the annual interest charge of \$8,967,609 and a total saving of interest of \$51,576,706.

I notice with great pleasure the statement of the Secretary that the receipts from internal revenue have increased during the last fiscal year nearly \$12,000,000 and that the cost of collecting this larger revenue was less by \$90,617 than for the same purpose in the preceding year. The percentage of cost of collecting the customs revenue was less for the last fiscal year than ever before.

The customs administration board provided for by the act of June 10, 1890, was selected with great care and is composed in part of men whose previous experience in the administration of the old customs regulations had made them familiar with the evils to be remedied, and in part of men whose legal and judicial acquirements and experience seemed to fit them for the work of interpreting and applying the new statute. The chief aim of the law is to secure honest valuations of all dutiable merchandise and to make these valuations uniform at all our ports of entry. It had been made manifest by a Congressional investigation that a system of undervaluation had been long in use by certain classes of importers, resulting not only in a great loss of revenue, but in a most intolerable discrimination against honesty. It is not seen how this legislation, when it is understood, can be regarded by the citizens of any country having commercial dealings with us as unfriendly.

If any duty is supposed to be excessive let the complaint be lodged there. It will surely not be claimed by any well-disposed people that a remedy may be sought and allowed in a system of quasi smuggling.

The report of the Secretary of War exhibits several gratifying results attained during the year by wise and unostentatious methods. The percentage of desertions from the Army (an evil for which both Congress and the Department have long been seeking a remedy) has been reduced during the past year 24 per cent, and for the months of August and September, during which time the favorable effects of the act of June 16 were felt, 33 per cent as compared with the same months of 1889.

The results attained by a reorganization and consolidation of the divisions having charge of the hospital and service records of the volunteer soldiers are very remarkable. This change was effected in July, 1889, and at that time there were 40,654 cases awaiting attention, more than half of these being calls from the Pension Office for information necessary to the adjudication of pension claims. On the 30th day of June last, though over three hundred thousand new calls had come in, there was not a single case that had not been examined and answered.

I concur in the recommendations of the Secretary that adequate and regular appropriations be continued for coast-defense works and ordnance. Plans have been practically agreed upon, and there can be no good reason for delaying the execution of them; while the defenseless state of our great seaports furnishes an urgent reason for wise expedition.

The encouragement that has been extended to the militia of the States, generally and most appropriately designated the "National Guard," should be continued and enlarged. These military organizations constitute, in a large sense, the Army of the United States, while about five-sixths of the annual cost of their maintenance is defrayed by the States.

The report of the Attorney-General is under the law submitted directly to Congress, but as the Department of Justice is one of the Executive Departments some reference to the work done is appropriate here.

A vigorous and, in the main, an effective effort has been made to bring to trial and punishment all violators of the laws; but at the same time, care has been taken that frivolous and technical offenses should not be used to swell the fees of officers to harass well-disposed citizens. Especial attention is called to the facts connected with the prosecution of violations of the election laws, and of offenses against United States officers. The number of convictions secured,

very many of them upon pleas of guilty, will, it is hoped, have a salutary restraining influence. There have been several cases where postmasters appointed by me have been subjected to violent interference in the discharge of their official duties and to persecutions and personal violence of the most extreme character. Some of these cases have been dealt with through the Department of Justice, and in some cases the post-offices have been abolished or suspended. I have directed the Postmaster-General to pursue this course in all cases where other efforts failed to secure for any postmaster, not himself in fault, an opportunity peacefully to exercise the duties of his office. But such action will not supplant the efforts of the Department of Justice to bring the particular offenders to punishment.

The vacation by judicial decrees of fraudulent certificates of naturalization, upon bills in equity filed by the Attorney-General in the circuit court of the United States, is a new application of a familiar equity jurisdiction. Nearly one hundred such decrees have been taken during the year, the evidence disclosing that a very large number of fraudulent certificates of naturalization have been issued. And in this connection I beg to renew my recommendation that the laws be so amended as to require a more full and searching inquiry into all the facts necessary to naturalization before any certificates are granted. It certainly is not too much to require that an application for American citizenship shall be heard with as much care and recorded with as much formality as are given to cases involving the pettiest property right.

At the last session I returned, without my approval, a bill entitled "An act to prohibit book-making and pool-selling in the District of Columbia," and stated my objection to be that it did not prohibit, but in fact licensed what it purported to prohibit. An effort will be made under existing laws to suppress this evil, though it is not certain that they will be found adequate.

The report of the Postmaster-General shows the most gratifying progress in the important work committed to his direction. The business methods have been greatly improved. A large economy in expenditures and an increase of four and three-quarters millions in receipts have been realized. The deficiency this year is \$5,786,300 as against \$6,350,183 last year, notwithstanding the great enlargement of the service. Mail routes have been extended and quickened, and greater accuracy and dispatch in distribution and delivery have been attained. The report will be found to be full of interest and suggestions, not only to Congress, but to those thoughtful citizens who may be interested to know what business methods can do for that department of public administration which most nearly touches all our people.

The passage of the act to amend certain sections of the Revised Statutes relating to lotteries, approved September 19, 1890, has been received with great and deserved popular favor. The Post-Office Department and the Department of Justice at once entered upon the enforcement of the law with sympathetic vigor, and already the public mails have been largely freed from the fraudulent and demoralizing appeals and literature emanating from the lottery companies.

The construction and equipment of the new ships for the Navy have made very satisfactory progress. Since March 4, 1889, nine new vessels have been put in commission, and during this winter four more, including one monitor, will be added. The construction of the other vessels authorized is being pushed, both in the Government and private yards, with energy and watched with the most scrupulous care.

The experiments conducted during the year to test the relative resisting power of armor plates have been so valuable as to attract great attention in Europe. The only part of the work upon the new ships that is threatened by unusual delay is the armor plating, and every effort is being made to reduce that to the minimum. It is a source of congratulation that the anticipated influence of these modern vessels upon the *esprit de corps* of the officers and seamen has been fully realized. Confidence and pride in the ship among the crew are equivalent to a secondary battery. Your favorable consideration is invited to the recommendations of the Secretary.

The report of the Secretary of the Interior exhibits with great fullness and clearness the vast work of that Department and the satisfactory results attained. The suggestions made by him are earnestly commended to the consideration of Congress, though they can not all be given particular mention here.

The several acts of Congress looking to the reduction of the larger Indian reservations, to the more rapid settlement of the Indians upon individual allotments, and the restoration to the public domain of lands in excess of their needs, have been largely carried into effect, so far as the work was confided to the Executive. Agreements have been concluded since March 4, 1889, involving the cession to the United States of about 14,726,000 acres of land. These contracts have, as required by law, been submitted to Congress for ratification and for the appropriations necessary to carry them into effect. Those with the Sisseton and Wahpeton, Sac and Fox, Iowa, Pottawatomics and Absentee Shawnees, and Cœur d'Aléne tribes have not yet received the sanction of Congress. Attention is also called to the fact that the appropriations made in the case of the Sioux Indians have not covered all the stipulated payments.

This should be promptly corrected. If an agreement is confirmed, all of its terms should be complied with without delay, and full appropriations should be made.

The policy outlined in my last annual message in relation to the patenting of lands to settlers upon the public domain has been carried out in the administration of the Land Office. No general suspicion or imputation of fraud has been allowed to delay the hearing and adjudication of individual cases upon their merits. The purpose has been to perfect the title of honest settlers with such promptness that the value of the entry might not be swallowed up by the expense and extortions to which delay subjected the claimant. The average monthly issue of agricultural patents has been increased about 6,000.

The disability pension act, which was approved on the 27th of June last, has been put into operation as rapidly as was practicable. The increased clerical force provided was selected and assigned to work, and a considerable part of the force engaged in examinations in the field was recalled and added to the working force of the office. The examination and adjudication of claims have, by reason of improved methods, been more rapid than ever before. There is no economy to the Government in delay, while there is much hardship and injustice to the soldier. The anticipated expenditure, while very large, will not, it is believed, be in excess of the estimates made before the enactment of the law. This liberal enlargement of the general law should suggest a more careful scrutiny of bills for special relief, both as to the cases where relief is granted and as to the amount allowed.

The increasing numbers and influence of the non-Mormon population in Utah are observed with satisfaction. The recent letter of Wilford Woodruff, president of the Mormon Church, in which he advised his people "to refrain from contracting any marriage forbidden by the laws of the land," has attracted wide attention, and it is hoped that its influence will be highly beneficial in restraining infractions of the laws of the United States. But the fact should not be overlooked that the doctrine or belief of the church that polygamous marriages are rightful and supported by Divine revelation remains unchanged. President Woodruff does not renounce the doctrine, but refrains from teaching it, and advises against the practice of it because the law is against it. Now, it is quite true that the law should not attempt to deal with the faith or belief of any one; but it is quite another thing, and the only safe thing, so to deal with the Territory of Utah as that those who believe polygamy to be rightful shall not have the power to make it lawful.

The admission of the States of Wyoming and Idaho to the Union are events full of interest and congratulation, not only to the people of those States now happily endowed with a full participation in our privileges and responsibilities, but to all our people. Another belt of States stretches from the Atlantic to the Pacific.

The work of the Patent Office has won from all sources very high commendation. The amount accomplished has been very largely increased, and all the results have been such as to secure confidence and consideration for the suggestions of the Commissioner.

The enumeration of the people of the United States under the provisions of the act of March 1, 1889, has been completed and the result will be at once officially communicated to Congress. The completion of this decennial enumeration devolves upon Congress the duty of making a new apportionment of Representatives "among the several States according to their respective numbers."

At the last session I had occasion to return with my objections several bills making provisions for the erection of public buildings, for the reason that the expenditures contemplated were in my opinion greatly in excess of any public need. No class of legislation is more liable to abuse, or to degenerate into an unseemly scramble about the public treasury, than this. There should be exercised in this matter a wise economy based upon some responsible and impartial examination and report as to each case, under a general law.

The report of the Secretary of Agriculture deserves especial attention in view of the fact that the year has been marked in a very unusual degree by agitation and organization among the farmers looking to an increase in the profits of their business. It will be found that the efforts of the Department have been intelligently and zealously devoted to the promotion of the interests intrusted to its care.

A very substantial improvement in the market prices of the leading farm products during the year is noticed. The price of wheat advanced from 81 cents in October, 1889, to \$1.00 $\frac{3}{4}$  in October, 1890; corn from 31 cents to 50 $\frac{1}{4}$  cents; oats from 19 $\frac{1}{4}$  cents to 43 cents; and barley from 63 cents to 78 cents. Meats showed a substantial but not so large an increase. The export trade in live animals and fowls shows a very large increase; the total value of such exports for the year ending June 30, 1890, was \$33,000,000, and the increase over the preceding year was over \$15,000,000. Nearly 200,000 more cattle and over 45,000 more hogs were exported than in the preceding year. The export trade in beef and pork products

and in dairy products was very largely increased, the increase in the article of butter alone being from 15,504,978 pounds to 29,748,042 pounds, and the total increase in the value of meat and dairy products exported being \$34,000,000. This trade, so directly helpful to the farmer, it is believed will be yet further and very largely increased when the system of inspection and sanitary supervision now provided by law is brought fully into operation.

The efforts of the Secretary to establish the healthfulness of our meats against the disparaging imputations that have been put upon them abroad have resulted in substantial progress. Veterinary surgeons sent out by the Department are now allowed to participate in the inspection of the live cattle from this country landed at the English docks, and during the several months they have been on duty no case of contagious pleuro-pneumonia has been reported. This inspection abroad, and the domestic inspection of live animals and pork products, provided for by the act of August 30, 1890, will afford as perfect a guaranty for the wholesomeness of our meats offered for foreign consumption as is anywhere given to any food product, and its nonacceptance will quite clearly reveal the real motive of any continued restriction of their use; and, that having been made clear, the duty of the Executive will be very plain.

The information given by the Secretary of the progress and prospects of the beet-sugar industry is full of interest. It has already passed the experimental stage and is a commercial success. The area over which the sugar beet can be successfully cultivated is very large, and another field crop of great value is offered to the choice of the farmer.

The Secretary of the Treasury concurs in the recommendation of the Secretary of Agriculture that the official supervision provided by the tariff law for sugar of domestic production shall be transferred to the Department of Agriculture.

The law relating to the civil service has, so far as I can learn, been executed by those having the power of appointment in the classified service with fidelity and impartiality, and the service has been increasingly satisfactory. The report of the Commission shows a large amount of good work done during the year with very limited appropriations.

I congratulate the Congress and the country upon the passage at the first session of the Fifty-first Congress of an unusual number of laws of very high importance. That the results of this legislation will be the quickening and enlargement of our manufacturing industries, larger and better markets for our breadstuffs and provisions both at home and abroad, more constant employment and



better wages for our working people, and an increased supply of a safe currency for the transaction of business, I do not doubt. Some of these measures were enacted at so late a period that the beneficial effects upon commerce, which were in the contemplation of Congress, have as yet but partially manifested themselves.

The general trade and industrial conditions throughout the country during the year have shown a marked improvement. For many years prior to 1888 the merchandise balances of foreign trade had been largely in our favor, but during that year and the year following they turned against us. It is very gratifying to know that the last fiscal year again shows a balance in our favor of over \$68,000,000. The bank clearings, which furnish a good test of the volume of business transacted, for the first ten months of the year 1890 show, as compared with the same months of 1889, an increase for the whole country of about 8.4 per cent, while the increase outside of the city of New York was over 13 per cent. During the month of October the clearings of the whole country showed an increase of 3.1 per cent over October, 1889, while outside of New York the increase was 11½ per cent. These figures show that the increase in the volume of business was very general throughout the country. That this larger business was being conducted upon a safe and profitable basis is shown by the fact that there were three hundred less failures reported in October, 1890, than in the same month of the preceding year, with liabilities diminished by about \$5,000,000.

The value of our exports of domestic merchandise during the last year was over \$115,000,000 greater than the preceding year, and was only exceeded once in our history. About \$100,000,000 of this excess was in agricultural products. The production of pig-iron—always a good gauge of general prosperity—is shown by a recent census bulletin to have been 153 per cent greater in 1890 than in 1880, and the production of steel 290 per cent greater. Mining in coal has had no limitation except that resulting from deficient transportation. The general testimony is that labor is everywhere fully employed, and the reports for the last year show a smaller number of employés affected by strikes and lockouts than in any year since 1884. The depression in the prices of agricultural products had been greatly relieved and a buoyant and hopeful tone was beginning to be felt by all our people.

These promising influences have been in some degree checked by the surprising and very unfavorable monetary events which have recently taken place in England. It is gratifying to know that these did not grow in any degree out of the financial relations of

London with our people or out of any discredit attached to our securities held in that market. The return of our bonds and stocks was caused by a money stringency in England, not by any loss of value or credit in the securities themselves. We could not, however, wholly escape the ill effects of a foreign monetary agitation accompanied by such extraordinary incidents as characterized this. It is not believed, however, that these evil incidents, which have for the time unfavorably affected values in this country, can long withstand the strong, safe, and wholesome influences which are operating to give to our people profitable returns in all branches of legitimate trade and industry. The apprehension that our tariff may again and at once be subjected to important general changes would undoubtedly add a depressing influence of the most serious character.

The general tariff act has only partially gone into operation, some of its important provisions being limited to take effect at dates yet in the future. The general provisions of the law have been in force less than sixty days. Its permanent effects upon trade and prices still largely stand in conjecture. It is curious to note that the advance in the prices of articles wholly unaffected by the tariff act was by many hastily ascribed to that act. Notice was not taken of the fact that the general tendency of the markets was upward from influences wholly apart from the recent tariff legislation. The enlargement of our currency by the silver bill undoubtedly gave an upward tendency to trade and had a marked effect on prices; but this natural and desired effect of the silver legislation was by many erroneously attributed to the tariff act.

There is neither wisdom nor justice in the suggestion that the subject of tariff revision shall be again opened before this law has had a fair trial. It is quite true that every tariff schedule is subject to objections. No bill was ever framed, I suppose, that in all of its rates and classifications had the full approval even of a party caucus. Such legislation is always and necessarily the product of compromise as to details, and the present law is no exception. But in its general scope and effect I think it will justify the support of those who believe that American legislation should conserve and defend American trade and the wages of American workmen.

The misinformation as to the terms of the act which has been so widely disseminated at home and abroad will be corrected by experience, and the evil auguries as to its results confounded by the market reports, the savings banks, international trade balances, and the general prosperity of our people. Already we begin to hear from abroad and from our custom-houses that the prohibitory effect

upon importations imputed to the act is not justified. The imports at the port of New York for the first three weeks of November were nearly 8 per cent greater than for the same period in 1889 and 29 per cent greater than in the same period of 1888. And so far from being an act to limit exports, I confidently believe that under it we shall secure a larger and more profitable participation in foreign trade than we have ever enjoyed, and that we shall recover a proportionate participation in the ocean carrying trade of the world.

The criticisms of the bill that have come to us from foreign sources may well be rejected for repugnancy. If these critics really believe that the adoption by us of a free-trade policy, or of tariff rates having reference solely to revenue, would diminish the participation of their own countries in the commerce of the world, their advocacy and promotion by speech and other forms of organized effort of this movement among our people is a rare exhibition of unselfishness in trade. And on the other hand, if they sincerely believe that the adoption of a protective-tariff policy by this country inures to their profit and our hurt, it is noticeably strange that they should lead the outcry against the authors of a policy so helpful to their countrymen, and crown with their favor those who would snatch from them a substantial share of a trade with other lands already inadequate to their necessities.

There is no disposition among any of our people to promote prohibitory or retaliatory legislation. Our policies are adopted not to the hurt of others, but to secure for ourselves those advantages that fairly grow out of our favored position as a nation. Our form of government, with its incident of universal suffrage, makes it imperative that we shall save our working people from the agitations and distresses which scant work and wages that have no margin for comfort always beget. But after all this is done it will be found that our markets are open to friendly commercial exchanges of enormous value to the other great powers.

From the time of my induction into office the duty of using every power and influence given by law to the Executive Department for the development of larger markets for our products, especially our farm products, has been kept constantly in mind, and no effort has been or will be spared to promote that end. We are under no disadvantage in any foreign market, except that we pay our workmen and workwomen better wages than are paid elsewhere—better abstractly, better relatively to the cost of the necessaries of life. I do not doubt that a very largely increased foreign trade is accessible to us without bartering for it either our home market for such products of the farm and shop as our own people can supply or the wages of our working people.

In many of the products of wood and iron, and in meats and breadstuffs, we have advantages that only need better facilities of intercourse and transportation to secure for them large foreign markets. The reciprocity clause of the tariff act wisely and effectively opens the way to secure a large reciprocal trade in exchange for the free admission to our ports of certain products. The right of independent nations to make special reciprocal trade concessions is well established, and does not impair either the comity due to other powers or what is known as the "favored-nation clause," so generally found in commercial treaties. What is given to one for an adequate agreed consideration can not be claimed by another freely. The state of the revenues was such that we could dispense with any import duties upon coffee, tea, hides, and the lower grades of sugar and molasses. That the large advantage resulting to the countries producing and exporting these articles by placing them on the free list entitled us to expect a fair return in the way of customs concessions upon articles exported by us to them was so obvious that to have gratuitously abandoned this opportunity to enlarge our trade would have been an unpardonable error.

There were but two methods of maintaining control of this question open to Congress : to place all of these articles upon the dutiable list, subject to such treaty agreements as could be secured, or to place them all presently upon the free list, but subject to the reimposition of specified duties if the countries from which we received them should refuse to give to us suitable reciprocal benefits. This latter method, I think, possesses great advantages. It expresses in advance the consent of Congress to reciprocity arrangements affecting these products, which must otherwise have been delayed and unascertained until each treaty was ratified by the Senate and the necessary legislation enacted by Congress. Experience has shown that some treaties looking to reciprocal trade have failed to secure a two-thirds vote in the Senate for ratification, and others having passed that stage have for years awaited the concurrence of the House and Senate in such modifications of our revenue laws as were necessary to give effect to their provisions. We now have the concurrence of both Houses in advance in a distinct and definite offer of free entry to our ports of specific articles. The Executive is not required to deal in conjecture as to what Congress will accept. Indeed, this reciprocity provision is more than an offer. Our part of the bargain is complete ; delivery has been made ; and when the countries from which we receive sugar, coffee, tea, and hides have placed on their free lists such of our products as shall be agreed upon, as an equivalent for our concession, a proclamation of that fact completes

the transaction ; and in the mean time our own people have free sugar, tea, coffee, and hides.

The indications thus far given are very hopeful of early and favorable action by the countries from which we receive our large imports of coffee and sugar, and it is confidently believed that if steam communication with these countries can be promptly improved and enlarged the next year will show a most gratifying increase in our exports of breadstuffs and provisions, as well as of some important lines of manufactured goods.

In addition to the important bills that became laws before the adjournment of the last session, some other bills of the highest importance were well advanced toward a final vote and now stand upon the calendars of the two Houses in favored positions. The present session has a fixed limit, and if these measures are not now brought to a final vote all the work that has been done upon them by this Congress is lost. The proper consideration of these, of an apportionment bill, and of the annual appropriation bills will require not only that no working day of the session shall be lost, but that measures of minor and local interest shall not be allowed to interrupt or retard the progress of those that are of universal interest. In view of these conditions I refrain from bringing before you at this time some suggestions that would otherwise be made, and most earnestly invoke your attention to the duty of perfecting the important legislation now well advanced. To some of these measures which seem to me most important I now briefly call your attention.

I desire to repeat with added urgency the recommendations contained in my last annual message in relation to the development of American steamship lines. The reciprocity clause of the tariff bill will be largely limited, and its benefits retarded and diminished, if provision is not contemporaneously made to encourage the establishment of first-class steam communication between our ports and the ports of such nations as may meet our overtures for enlarged commercial exchanges. The steamship, carrying the mails steadily and frequently, and offering to passengers a comfortable, safe, and speedy transit, is the first condition of foreign trade. It carries the order or the buyer, but not all that is ordered or bought. It gives to the sailing vessels such cargoes as are not urgent or perishable, and, indirectly at least, promotes that important adjunct of commerce. There is now both in this country and in the nations of Central and South America a state of expectation and confidence as to increased trade that will give a double value to your prompt action upon this question.

The present situation of our mail communication with Australia

illustrates the importance of early action by Congress. The Oceanic Steamship Company maintains a line of steamers between San Francisco, Sydney, and Auckland, consisting of three vessels, two of which are of United States registry and one of foreign registry. For the service done by this line in carrying the mails we pay annually the sum of \$46,000, being, as estimated, the full sea and United States inland postage, which is the limit fixed by law. The colonies of New South Wales and New Zealand have been paying annually to these lines £37,000 for carrying the mails from Sydney and Auckland to San Francisco. The contract under which this payment has been made is now about to expire, and those colonies have refused to renew the contract unless the United States shall pay a more equitable proportion of the whole sum necessary to maintain the service.

I am advised by the Postmaster-General that the United States receives for carrying the Australian mails, brought to San Francisco in these steamers, by rail to Vancouver an estimated annual income of \$75,000, while, as I have stated, we are paying out for the support of the steamship line that brings this mail to us only \$46,000, leaving an annual surplus, resulting from this service, of \$29,000. The trade of the United States with Australia, which is in a considerable part carried by these steamers, and the whole of which is practically dependent upon the mail communication which they maintain, is largely in our favor. Our total exports of merchandise to Australasian ports during the fiscal year ending June 30, 1890, were \$11,266,484, while the total imports of merchandise from these ports were only \$4,277,676. If we are not willing to see this important steamship line withdrawn, or continued with Vancouver substituted for San Francisco as the American terminal, Congress should put it in the power of the Postmaster-General to make a liberal increase in the amount now paid for the transportation of this important mail.

The South Atlantic and Gulf ports occupy a very favored position towards the new and important commerce with the reciprocity clause of the tariff act and the postal shipping bill are designed to promote. Steamship lines from these ports to some northern port of South America will almost certainly effect a connection between the railroad systems of the continents long before any continuous line of railroads can be put into operation. The very large appropriation made at the last session for the harbor of Galveston was justified, as it seemed to me, by these considerations. The great Northwest will feel the advantage of trunk lines to the South as

well as to the East, and of the new markets opened for their surplus food products and for many of their manufactured products.

I had occasion in May last to transmit to Congress a report adopted by the International American Conference upon the subject of the incorporation of an international American bank, with a view to facilitating money exchanges between the states represented in that conference. Such an institution would greatly promote the trade we are seeking to develop. I renew the recommendation that a careful and well-guarded charter be granted. I do not think the powers granted should include those ordinarily exercised by trust, guaranty, and safe-deposit companies, or that more branches in the United States should be authorized than are strictly necessary to accomplish the object primarily in view, namely, convenient foreign exchanges. It is quite important that prompt action should be taken in this matter, in order that any appropriations for better communication with these countries, and any agreements that may be made for reciprocal trade, may not be hindered by the inconvenience of making exchanges through European money centers or burdened by the tribute which is an incident of that method of business.

The bill for the relief of the Supreme Court has, after many years of discussion, reached a position where final action is easily attainable, and it is hoped that any differences of opinion may be so harmonized as to save the essential features of this very important measure. In this connection I earnestly renew my recommendation that the salaries of the judges of the United States district courts be so readjusted that none of them shall receive less than \$5,000 per annum.

The subject of the unadjusted Spanish and Mexican land grants and the urgent necessity for providing some commission or tribunal for the trial of questions of title growing out of them were twice brought by me to the attention of Congress at the last session. Bills have been reported from the proper committees in both Houses upon the subject, and I very earnestly hope that this Congress will put an end to the delay which has attended the settlement of the disputes as to title between the settlers and the claimants under these grants. These disputes retard the prosperity and disturb the peace of large and important communities. The governor of New Mexico, in his last report to the Secretary of the Interior, suggests some modifications of the provisions of the pending bills relating to the small holdings of farm lands. I commend to your attention the suggestions of the Secretary of the Interior upon this subject.

The enactment of a national bankrupt law I still regard as very

desirable. The Constitution having given to Congress jurisdiction of this subject, it should be exercised, and uniform rules provided for the administration of the affairs of insolvent debtors. The inconveniences resulting from the occasional and temporary exercise of this power by Congress, and from the conflicting State codes of insolvency which come into force intermediately, should be removed by the enactment of a simple, inexpensive, and permanent national bankrupt law.

I also renew my recommendation in favor of legislation affording just copyright protection to foreign authors, on a footing of reciprocal advantage for our authors abroad.

It may still be possible for this Congress to inaugurate, by suitable legislation, a movement looking to uniformity and increased safety in the use of couplers and brakes upon freight trains engaged in interstate commerce. The chief difficulty in the way is to secure agreement as to the best appliances, simplicity, effectiveness, and cost being considered. This difficulty will only yield to legislation, which should be based upon full inquiry and impartial tests. The purpose should be to secure the cooperation of all well-disposed managers and owners, but the fearful fact that every year's delay involves the sacrifice of two thousand lives and the maiming of twenty thousand young men should plead both with Congress and the managers against any needless delay.

The subject of the conservation and equal distribution of the water supply of the arid regions has had much attention from Congress, but has not as yet been put upon a permanent and satisfactory basis. The urgency of the subject does not grow out of any large present demand for the use of these lands for agriculture, but out of the danger that the water supply and the sites for the necessary catch-basins may fall into the hands of individuals or private corporations and be used to render subservient the large areas dependent upon such supply. The owner of the water is the owner of the lands, however the titles may run. All unappropriated natural water sources and all necessary reservoir sites should be held by the Government for the equal use, at fair rates, of the homestead settlers who will eventually take up these lands. The United States should not, in my opinion, undertake the construction of dams or canals, but should limit its work to such surveys and observations as will determine the water supply, both surface and subterranean, the areas capable of irrigation, and the location and storage capacity of reservoirs. This done, the use of the water and of the reservoir sites might be granted to the respective States or Territories, or to individuals or associations upon the condition that



the necessary works should be constructed and the water furnished at fair rates, without discrimination, the rates to be subject to supervision by the legislatures or by boards of water commissioners duly constituted. The essential thing to be secured is the common and equal use at fair rates of the accumulated water supply. It were almost better that these lands should remain arid than that those who occupy them should become the slaves of unrestrained monopolies controlling the one essential element of land values and crop results.

The use of the telegraph by the Post-Office Department as a means for the rapid transmission of written communications is, I believe, upon proper terms quite desirable. The Government does not own or operate the railroads, and it should not, I think, own or operate the telegraph lines. It does, however, seem to be quite practicable for the Government to contract with the telegraph companies, as it does with the railroad companies, to carry at specified rates such communications as the senders may designate for this method of transmission. I recommend that such legislation be enacted as will enable the Post-Office Department fairly to test by experiment the advantages of such a use of the telegraph.

If any intelligent and loyal company of American citizens were required to catalogue the essential human conditions of national life, I do not doubt that with absolute unanimity they would begin with "free and honest elections." And it is gratifying to know that generally there is a growing and nonpartisan demand for better election laws. But against this sign of hope and progress must be set the depressing and undeniable fact that election laws and methods are sometimes cunningly contrived to secure minority control, while violence completes the shortcomings of fraud.

In my last annual message I suggested that the development of the existing law providing a Federal supervision of Congressional elections offered an effective method of reforming these abuses. The need of such a law has manifested itself in many parts of the country, and its wholesome restraints and penalties will be useful in all. The constitutionality of such legislation has been affirmed by the Supreme Court. Its probable effectiveness is evidenced by the character of the opposition that is made to it. It has been denounced as if it were a new exercise of Federal power and an invasion of the rights of the States. Nothing could be further from the truth. Congress has already fixed the time for the election of members of Congress. It has declared that votes for members of Congress must be by written or printed ballot; it has provided for the appointment by the circuit courts in certain cases, and upon the petition of a

certain number of citizens, of election supervisors, and made it their duty to supervise the registration of voters conducted by the State officers; to challenge persons offering to register; to personally inspect and scrutinize the registry lists, and to affix their names to the lists for the purpose of identification and the prevention of frauds; to attend at elections and remain with the boxes till the votes are all cast and counted; to attach to the registry lists and election returns any statement touching the accuracy and fairness of the registry and election, and to take and transmit to the Clerk of the House of Representatives any evidence of fraudulent practices which may be presented to them. The same law provides for the appointment of deputy United States marshals to attend at the polls, support the supervisors in the discharge of their duties, and to arrest persons violating the election laws. The provisions of this familiar title of the Revised Statutes have been put into exercise by both the great political parties, and in the North as well as in the South, by the filing with the court of the petitions required by the law.

It is not, therefore, a question whether we shall have a Federal election law, for we now have one, and have had for nearly twenty years, but whether we shall have an effective law. The present law stops just short of effectiveness, for it surrenders to the local authorities all control over the certification which establishes the prima facie right to a seat in the House of Representatives. This defect should be cured. Equality of representation and the parity of the electors must be maintained, or everything that is valuable in our system of government is lost. The qualifications of an elector must be sought in the law, not in the opinions, prejudices, or fears of any class, however powerful. The path of the elector to the ballot-box must be free from the ambush of fear and the enticements of fraud; the count so true and open that none shall gainsay it. Such a law should be absolutely nonpartisan and impartial. It should give the advantage to honesty and the control to majorities. Surely there is nothing sectional about this creed, and, if it shall happen that the penalties of laws intended to enforce these rights fall here and not there, it is not because the law is sectional, but because, happily, crime is local and not universal. Nor should it be forgotten that every law, whether relating to elections or to any other subject, whether enacted by the State or by the Nation, has force behind it; the courts, the marshal or constable, the posse comitatus, the prison, are all and always behind the law.

One can not be justly charged with unfriendliness to any section or class who seeks only to restrain violations of law and of personal right. No community will find lawlessness profitable. No com-

munity can afford to have it known that the officers who are charged with the preservation of the public peace and the restraint of the criminal classes are themselves the product of fraud or violence. The magistrate is then without respect and the law without sanction. The floods of lawlessness can not be leveed and made to run in one channel. The killing of a United States marshal carrying a writ of arrest for an election offense is full of prompting and suggestion to men who are pursued by a city marshal for a crime against life or property.

But it is said that this legislation will revive race animosities, and some have even suggested that when the peaceful methods of fraud are made impossible they may be supplanted by intimidation and violence. If the proposed law gives to any qualified elector by a hair's weight more than his equal influence, or detracts by so much from any other qualified elector, it is fatally impeached. But, if the law is equal and the animosities it is to evoke grow out of the fact that some electors have been accustomed to exercise the franchise for others as well as for themselves, then these animosities ought not to be confessed without shame, and can not be given any weight in the discussion without dishonor. No choice is left to me but to enforce with vigor all laws intended to secure to the citizen his constitutional rights, and to recommend that the inadequacies of such laws be promptly remedied. If to promote with zeal and ready interest every project for the development of its material interests, its rivers, harbors, mines, and factories, and the intelligence, peace, and security under the law of its communities and its homes, is not accepted as sufficient evidence of friendliness to any State or section, I can not add connivance at election practices that not only disturb local results, but rob the electors of other States and sections of their most priceless political rights.

The preparation of the general appropriation bills should be conducted with the greatest care and the closest scrutiny of expenditures. Appropriations should be adequate to the needs of the public service, but they should be absolutely free from prodigality.

I venture again to remind you that the brief time remaining for the consideration of the important legislation now awaiting your attention offers no margin for waste. If the present duty is discharged with diligence, fidelity, and courage, the work of the Fifty-first Congress may be confidently submitted to the considerate judgment of the people.

BENJ. HARRISON.

EXECUTIVE MANSION,  
December 1, 1890.

III.

DECEMBER 9, 1891.

*To the Senate and House of Representatives:*

The reports of the heads of the several Executive Departments, required by law to be submitted to me, which are herewith transmitted, and the reports of the Secretary of the Treasury and the Attorney-General, made directly to Congress, furnish a comprehensive view of the administrative work of the last fiscal year relating to internal affairs. It would be of great advantage if these reports could have an attentive perusal by every member of Congress and by all who take an interest in public affairs. Such a perusal could not fail to excite a higher appreciation of the vast labor and conscientious effort which are given to the conduct of our civil administration.

The reports will, I believe, show that every question has been approached, considered, and decided from the standpoint of public duty and upon considerations affecting the public interests alone. Again I invite to every branch of the service the attention and scrutiny of Congress.

The work of the State Department during the last year has been characterized by an unusual number of important negotiations and by diplomatic results of a notable and highly beneficial character. Among these are the reciprocal trade arrangements which have been concluded, in the exercise of the powers conferred by section 3 of the tariff law, with the Republic of Brazil, with Spain for its West India possessions, and with San Domingo. Like negotiations with other countries have been much advanced, and it is hoped that before the close of the year further definitive trade arrangements of great value will be concluded.

In view of the reports which had been received as to the diminution of the seal herds in the Bering Sea, I deemed it wise to propose to Her Majesty's Government in February last that an agreement for a closed season should be made, pending the negotiations for arbitration, which then seemed to be approaching a favorable conclusion. After much correspondence, and delays for which this Government was not responsible, an agreement was reached and signed on the 15th of June, by which Great Britain undertook, from that date and until May 1, 1892, to prohibit the killing by her subjects of seals in the Bering Sea, and the Government of the United States, during the same period, to enforce its existing pro-

hibition against pelagic sealing and to limit the catch by the Fur-Seal Company upon the islands to 7,500 skins. If this agreement could have been reached earlier, in response to the strenuous endeavors of this Government, it would have been more effective; but, coming even as late as it did, it unquestionably resulted in greatly diminishing the destruction of the seals by the Canadian sealers.

In my last annual message I stated that the basis of arbitration proposed by Her Majesty's Government for the adjustment of the long-pending controversy as to the seal fisheries was not acceptable. I am glad now to be able to announce that terms satisfactory to this Government have been agreed upon and that an agreement as to the arbitrators is all that is necessary to the completion of the convention. In view of the advanced position which this Government has taken upon the subject of international arbitration, this renewed expression of our adherence to this method for the settlement of disputes such as have arisen in the Bering Sea will, I doubt not, meet with the concurrence of Congress.

Provision should be made for a joint demarkation of the frontier line between Canada and the United States, wherever required by the increasing border settlements, and especially for the exact location of the water boundary in the straits and rivers.

I should have been glad to announce some favorable disposition of the boundary dispute between Great Britain and Venezuela, touching the western frontier of British Guiana, but the friendly efforts of the United States in that direction have thus far been unavailing. This Government will continue to express its concern at any appearance of foreign encroachment on territories long under the administrative control of American states. The determination of a disputed boundary is easily attainable by amicable arbitration, where the rights of the respective parties rest, as here, on historic facts, readily ascertainable.

The law of the last Congress providing a system of inspection for our meats intended for export and clothing the President with power to exclude foreign products from our market in case the country sending them should perpetuate unjust discriminations against any product of the United States, placed this Government in a position to effectively urge the removal of such discriminations against our meats. It is gratifying to be able to state that Germany, Denmark, Italy, Austria, and France, in the order named, have opened their ports to inspected American pork products. The removal of these restrictions in every instance was asked for and given solely upon the ground that we had now provided a meat

inspection that should be accepted as adequate to the complete removal of the dangers, real or fancied, which had been previously urged. The State Department, our ministers abroad, and the Secretary of Agriculture have coöperated with unflagging and intelligent zeal for the accomplishment of this great result. The outlines of an agreement have been reached with Germany, looking to equitable trade concessions in consideration of the continued free importation of her sugars; but the time has not yet arrived when this correspondence can be submitted to Congress.

The recent political disturbances in the Republic of Brazil have excited regret and solicitude. The information we possessed was too meager to enable us to form a satisfactory judgment of the causes leading to the temporary assumption of supreme power by President Fonseca; but this Government did not fail to express to him its anxious solicitude for the peace of Brazil and for the maintenance of the free political institutions which had recently been established there, nor to offer our advice that great moderation should be observed in the clash of parties and the contest for leadership. These counsels were received in the most friendly spirit, and the latest information is that constitutional government has been reëstablished without bloodshed.

The lynching at New Orleans in March last of eleven men of Italian nativity by a mob of citizens was a most deplorable and discreditable incident. It did not, however, have its origin in any general animosity to the Italian people, nor in any disrespect to the Government of Italy, with which our relations were of the most friendly character. The fury of the mob was directed against these men as the supposed participants or accessories in the murder of a city officer. I do not allude to this as mitigating in any degree this offense against law and humanity, but only as affecting the international questions which grew out of it. It was at once represented by the Italian minister that several of those whose lives had been taken by the mob were Italian subjects, and a demand was made for the punishment of the participants and for an indemnity to the families of those who were killed. It is to be regretted that the manner in which these claims were presented was not such as to promote a calm discussion of the questions involved; but this may well be attributed to the excitement and indignation which the crime naturally evoked. The views of this Government as to its obligations to foreigners domiciled here were fully stated in the correspondence, as well as its purpose to make an investigation of the affair with a view to determine whether there were present any circumstances that could, under such rules of duty as we had

indicated, create an obligation upon the United States. The temporary absence of a minister plenipotentiary of Italy at this capital has retarded the further correspondence, but it is not doubted that a friendly conclusion is attainable.

Some suggestions growing out of this unhappy incident are worthy the attention of Congress. It would, I believe, be entirely competent for Congress to make offenses against the treaty rights of foreigners domiciled in the United States cognizable in the Federal courts. This has not, however, been done, and the Federal officers and courts have no power in such cases to intervene either for the protection of a foreign citizen or for the punishment of his slayers. It seems to me to follow, in this state of the law, that the officers of the State charged with police and judicial powers in such cases must, in the consideration of international questions growing out of such incidents, be regarded in such sense as Federal agents as to make this Government answerable for their acts in cases where it would be answerable if the United States had used its constitutional power to define and punish crimes against treaty rights.

The civil war in Chile, which began in January last, was continued, but fortunately with infrequent and not important armed collisions, until August 28, when the Congressional forces landed near Valparaiso and, after a bloody engagement, captured that city. President Balmaceda at once recognized that his cause was lost, and a provisional government was speedily established by the victorious party. Our minister was promptly directed to recognize and put himself in communication with this Government so soon as it should have established its *de facto* character, which was done. During the pendency of the civil contest frequent indirect appeals were made to this Government to extend belligerent rights to the insurgents and to give audience to their representatives. This was declined, and that policy was pursued throughout which this Government, when wrenched by civil war, so strenuously insisted upon on the part of European nations. The *Itata*, an armed vessel commanded by a naval officer of the insurgent fleet, manned by its sailors and with soldiers on board, was seized under process of the United States court at San Diego, California, for a violation of our neutrality laws. While in the custody of an officer of the court the vessel was forcibly wrested from his control and put to sea. It would have been inconsistent with the dignity and self-respect of this Government not to have insisted that the *Itata* should be returned to San Diego to abide the judgment of the court. This was so clear to the Junta of the Congressional party, established at Iquique, that before

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the arrival of the *Itata* at that port the secretary of foreign relations of the provisional government addressed to Rear-Admiral Brown, commanding the United States naval forces, a communication, from which the following is an extract :

The Provisional Government has learned by the cablegrams of the Associated Press that the transport *Itata*, detained in San Diego by order of the United States for taking on board munitions of war and in possession of the marshal, left the port, carrying on board this official, who was landed at a point near the coast, and then continued her voyage. \* \* \* If this news be correct, this Government would deplore the conduct of the *Itata*, and as an evidence that it is not disposed to support or agree to the infraction of the laws of the United States, the undersigned takes advantage of the personal relations you have been good enough to maintain with him since your arrival in this port to declare to you that as soon as she is within reach of our orders his Government will put the *Itata*, with the arms and munitions she took on board in San Diego, at the disposition of the United States.

A trial in the district court of the United States for the southern district of California has recently resulted in a decision holding, among other things, that, inasmuch as the Congressional party had not been recognized as a belligerent, the acts done in its interest could not be a violation of our neutrality laws. From this judgment the United States has appealed, not that the condemnation of the vessel is a matter of importance, but that we may know what the present state of our law is ; for, if this construction of the statute is correct, there is obvious necessity for revision and amendment.

During the progress of the war in Chile this Government tendered its good offices to bring about a peaceful adjustment, and it was at one time hoped that a good result might be reached ; but in this we were disappointed.

The instructions to our naval officers and to our minister at Santiago, from the first to the last of this struggle enjoined upon them the most impartial treatment and absolute noninterference. I am satisfied that these instructions were observed and that our representatives were always watchful to use their influence impartially in the interest of humanity, and, on more than one occasion, did so effectively. We could not forget, however, that this Government was in diplomatic relations with the then established Government of Chile, as it is now in such relations with the successor of that Government. I am quite sure that President Montt, who has under circumstances of promise for the peace of Chile, been installed as President of that Republic, will not desire that, in the unfortunate event of any revolt against his authority, the policy of this Government should be other than that which we have recently observed. No official complaint of the conduct of our minister or of our naval officers during the struggle has been presented to this Government ; and it is a matter of regret that so many of our own



people should have given ear to unofficial charges and complaints that manifestly had their origin in rival interests and in a wish to pervert the relations of the United States with Chile.

The collapse of the government of Balmaceda brought about a condition which is unfortunately too familiar in the history of the Central and South American states. With the overthrow of the Balmaceda government, he and many of his councilors and officers became at once fugitives for their lives and appealed to the commanding officers of the foreign naval vessels in the harbor of Valparaiso and to the resident foreign ministers at Santiago for asylum. This asylum was freely given, according to my information, by the naval vessels of several foreign powers and by several of the legations at Santiago. The American minister, as well as his colleagues, acting upon the impulses of humanity, extended asylum to political refugees whose lives were in peril. I have not been willing to direct the surrender of such of these persons as are still in the American legation without suitable conditions.

It is believed that the Government of Chile is not in a position, in view of the precedents with which it has been connected, to broadly deny the right of asylum, and the correspondence has not thus far presented any such denial. The treatment of our minister for a time was such as to call for a decided protest, and it was very gratifying to observe that unfriendly measures, which were undoubtedly the result of the prevailing excitement, were at once rescinded or suitably relaxed.

On the 16th of October an event occurred in Valparaiso so serious and tragic in its circumstances and results as to very justly excite the indignation of our people and to call for prompt and decided action on the part of this Government. A considerable number of the sailors of the U. S. S. *Baltimore*, then in the harbor of Valparaiso, being upon shore-leave and unarmed, were assaulted by armed men nearly simultaneously in different localities in the city. One petty officer was killed outright and seven or eight seamen were seriously wounded, one of whom has since died. So savage and brutal was the assault that several of our sailors received more than two, and one as many as eighteen, stab wounds. An investigation of the affair was promptly made by a board of officers of the *Baltimore*, and their report shows that these assaults were unprovoked, that our men were conducting themselves in a peaceable and orderly manner, and that some of the police of the city took part in the assault and used their weapons with fatal effect, while a few others, with some well-disposed citizens, endeavored to protect our men. Thirty-six of our sailors were arrested, and some

of them, while being taken to prison, were cruelly beaten and maltreated. The fact that they were all discharged, no criminal charge being lodged against any one of them, shows very clearly that they were innocent of any breach of the peace.

So far as I have yet been able to learn no other explanation of this bloody work has been suggested than that it had its origin in hostility to these men as sailors of the United States, wearing the uniform of their Government, and not in any individual act or personal animosity. The attention of the Chilean Government was at once called to this affair, and a statement of the facts obtained by the investigation we had conducted was submitted, accompanied by a request to be advised of any other or qualifying facts in the possession of the Chilean government that might tend to relieve this affair of the appearance of an insult to this Government. The Chilean Government was also advised that if such qualifying facts did not exist this Government would confidently expect full and prompt reparation.

It is to be regretted that the reply of the secretary for foreign affairs of the Provisional Government was couched in an offensive tone. To this no response has been made. This Government is now awaiting the result of an investigation which has been conducted by the criminal court at Valparaiso. It is reported unofficially that the investigation is about completed, and it is expected that the result will soon be communicated to this Government, together with some adequate and satisfactory response to the note by which the attention of Chile was called to this incident. If these just expectations should be disappointed or further needless delay intervene, I will, by a special message, bring this matter again to the attention of Congress for such action as may be necessary.

The entire correspondence with the Government of Chile will at an early day be submitted to Congress.

I renew the recommendation of my special message, dated January 16, 1890, for the adoption of the necessary legislation to enable this Government to apply in the case of Sweden and Norway the same rule in respect to the levying of tonnage dues as was claimed and secured to the shipping of the United States in 1828 under article 8 of the treaty of 1827.

The adjournment of the Senate without action on the pending acts for the suppression of the slave traffic in Africa and for the reform of the revenue tariff of the independent State of the Congo left this Government unable to exchange those acts on the date fixed, July 2, 1891. A *modus vivendi* has been concluded by which the power of the Congo State to levy duties on imports is left

unimpaired, and, by agreement of all the signatories to the general slave-trade act, the time for the exchange of ratifications on the part of the United States has been extended to February 2, 1892.

The late outbreak against foreigners in various parts of the Chinese Empire has been a cause of deep concern in view of the numerous establishments of our citizens in the interior of that country. This Government can do no less than insist upon a continuance of the protective and punitive measures which the Chinese Government has heretofore applied. No effort will be omitted to protect our citizens peaceably sojourning in China, but recent unofficial information indicates that what was at first regarded as an outbreak of mob violence against foreigners has assumed the larger form of an insurrection against public order.

The Chinese Government has declined to receive Mr. Blair as the minister of the United States on the ground that, as a participant, while a Senator, in the enactment of the existing legislation against the introduction of Chinese laborers, he has become unfriendly and objectionable to China. I have felt constrained to point out to the Chinese Government the untenableness of this position, which seems to rest as much on the unacceptability of our legislation as on that of the person chosen, and which, if admitted, would practically debar the selection of any representative so long as the existing laws remain in force.

You will be called upon to consider the expediency of making special provision by law for the temporary admission of some Chinese artisans and laborers in connection with the exhibit of Chinese industries at the approaching Columbian Exposition. I regard it as desirable that the Chinese exhibit be facilitated in every proper way.

A question has arisen with the Government of Spain touching the rights of American citizens in the Caroline Islands. Our citizens there, long prior to the confirmation of Spain's claim to the islands, had secured by settlement and purchase certain rights, to the recognition and maintenance of which the faith of Spain was pledged. I have had reason within the past year very strongly to protest against the failure to carry out this pledge on the part of His Majesty's ministers, which has resulted in great injustice and injury to the American residents.

The Government and people of Spain propose to celebrate the four hundredth anniversary of the discovery of America by holding an exposition at Madrid, which will open on the 12th of September and continue until the 31st of December, 1892. A cordial invitation has been extended to the United States to take part in this com-

memoration, and, as Spain was one of the first nations to express the intention to participate in the World's Columbian Exposition at Chicago, it would be very appropriate for this Government to give this invitation its friendly promotion.

Surveys for the connecting links of the projected Intercontinental Railway are in progress, not only in Mexico, but at various points along the course mapped out. Three surveying parties are now in the field under the direction of the commission. Nearly 1,000 miles of the proposed road have been surveyed, including the most difficult part, that through Ecuador and the southern part of Colombia. The reports of the engineers are very satisfactory and show that no insurmountable obstacles have been met with.

On November 12, 1884, a treaty was concluded with Mexico reaffirming the boundary between the two countries as described in the treaties of February 2, 1848, and December 30, 1853. March 1, 1889, a further treaty was negotiated to facilitate the carrying out of the principles of the treaty of 1884 and to avoid the difficulties occasioned by reason of the changes and alterations that take place from natural causes in the Rio Grande and Colorado rivers in the portions thereof constituting the boundary line between the two Republics. The International Boundary Commission, provided for by the treaty of 1889, to have exclusive jurisdiction of any question that may arise, has been named by the Mexican Government. An appropriation is necessary to enable the United States to fulfill its treaty obligation in this respect.

The death of King Kalakaua in the United States afforded occasion to testify our friendship for Hawaii by conveying the King's body to his own land in a naval vessel with all due honors. The Government of his successor, Queen Lilioukalani, is seeking to promote closer commercial relations with the United States. Surveys for the much-needed submarine cable from our Pacific Coast to Honolulu are in progress, and this enterprise should have the suitable promotion of the two Governments. I strongly recommend that provision be made for improving the harbor of Pearl River and equipping it as a naval station.

The arbitration treaty formulated by the International American Conference lapsed by reason of the failure to exchange ratifications fully within the limit of time provided; but several of the Governments concerned have expressed a desire to save this important result of the conference by an extension of the period. It is, in my judgment, incumbent upon the United States to conserve the influential initiative it has taken in this measure by ratifying the instrument and by advocating the proposed extension of the time for

exchange. These views have been made known to the other signatories.

This Government has found occasion to express, in a friendly spirit, but with much earnestness, to the Government of the Czar, its serious concern because of the harsh measures now being enforced against the Hebrews in Russia. By the revival of anti-Semitic laws, long in abeyance, great numbers of those unfortunate people have been constrained to abandon their homes and leave the Empire by reason of the impossibility of finding subsistence within the pale to which it is sought to confine them. The immigration of these people to the United States—many other countries being closed to them—is largely increasing and is likely to assume proportions which may make it difficult to find homes and employment for them here and to seriously affect the labor market. It is estimated that over 1,000,000 will be forced from Russia within a few years. The Hebrew is never a beggar; he has always kept the law—life by toil—often under severe and oppressive civil restrictions. It is also true that no race, sect, or class has more fully cared for its own than the Hebrew race. But the sudden transfer of such a multitude, under conditions that tend to strip them of their small accumulations and to depress their energies and courage, is neither good for them nor for us.

The banishment, whether by direct decree or by not less certain indirect methods, of so large a number of men and women is not a local question. A decree to leave one country is, in the nature of things, an order to enter another—some other. This consideration, as well as the suggestions of humanity, furnishes ample ground for the remonstrances which we have presented to Russia, while our historic friendship for that Government can not fail to give the assurance that our representations are those of a sincere wellwisher.

The annual report of the Maritime Canal Company of Nicaragua shows that much costly and necessary preparatory work has been done during the year in the construction of shops, railroad tracks, and harbor piers and breakwaters, and that the work of canal construction has made some progress.

I deem it to be a matter of the highest concern to the United States that this canal, connecting the waters of the Atlantic and Pacific oceans and giving to us a short-water communication between our ports upon those two great seas, should be speedily constructed and at the smallest practicable limit of cost. The gain in freights to the people and the direct saving to the Government of the United States in the use of its naval vessels would pay the entire cost of this work within a short series of years. The report of the

Secretary of the Navy shows the saving in our naval expenditures which would result.

The Senator from Alabama (Mr Morgan), in his argument upon this subject before the Senate at the last session, did not overestimate the importance of this work when he said that "the canal is the most important subject now connected with the commercial growth and progress of the United States."

If this work is to be promoted by the usual financial methods and without the aid of this Government, the expenditures, in its interest-bearing securities and stocks, will probably be twice the actual cost. This will necessitate higher tolls and constitute a heavy and altogether needless burden upon our commerce and that of the world. Every dollar of the bonds and stock of the company should represent a dollar expended in the legitimate and economical prosecution of the work. This is only possible by giving to the bonds the guaranty of the United States Government. Such a guaranty would secure the ready sale at par of a 3-per-cent bond, from time to time, as the money was needed. I do not doubt that, built upon these business methods, the canal would, when fully inaugurated, earn its fixed charges and operating expenses. But if its bonds are to be marketed at heavy discounts and every bond sold is to be accompanied by a gift of stock, as has come to be expected by investors in such enterprises, the traffic will be seriously burdened to pay interest and dividends. I am quite willing to recommend Government promotion in the prosecution of a work which, if no other means offered for securing its completion, is of such transcendent interest that the Government should, in my opinion, secure it by direct appropriations from its treasury.

A guaranty of the bonds of the canal company to an amount necessary to the completion of the canal could, I think, be so given as not to involve any serious risk of ultimate loss. The things to be carefully guarded are the completion of the work within the limits of the guaranty, the subrogation of the United States to the rights of the first-mortgage bondholders for any amounts it may have to pay, and in the meantime a control of the stock of the company as a security against mismanagement and loss. I most sincerely hope that neither party nor sectional lines will be drawn upon this great American project, so full of interest to the people of all our States and so influential in its effects upon the prestige and prosperity of our common country.

The island of Navassa, in the West Indian group, has, under the provisions of title 72 of the Revised Statutes, been recognized by the President as appertaining to the United States. It contains

guano deposits, is owned by the Navassa Phosphate Company, and is occupied solely by its employés. In September, 1889, a revolt took place among these laborers, resulting in the killing of some of the agents of the company, caused, as the laborers claimed, by cruel treatment. These men were arrested and tried in the United States court at Baltimore, under section 5576 of the statute referred to, as if the offenses had been committed on board a merchant vessel of the United States on the high seas. There appeared on the trial, and otherwise came to me, such evidences of the bad treatment of the men that, in consideration of this and of the fact that the men had no access to any public officer or tribunal for protection or the redress of their wrongs, I commuted the death sentences that had been passed by the court upon three of them. In April last my attention was again called to this island, and to the unregulated condition of things there, by a letter from a colored laborer, who complained that he was wrongfully detained upon the island by the phosphate company after the expiration of his contract of service. A naval vessel was sent to examine into the case of this man and generally into the condition of things on the island. It was found that the laborer referred to had been detained beyond the contract limit and that a condition of revolt again existed among the laborers. A board of naval officers reported, among other things, as follows :

We would desire to state further that the discipline maintained on the island seems to be that of a convict establishment, without its comforts and cleanliness, and that, until more attention is paid to the shipping of laborers, by placing it under Government supervision to prevent misunderstanding and misrepresentation, and until some amelioration is shown in the treatment of the laborers, these disorders will be of constant occurrence.

I recommend legislation that shall place labor contracts upon this and other islands having the relation that Navassa has to the United States under the supervision of a court commissioner, and that shall provide, at the expense of the owners, an officer to reside upon the islands, with power to judge and adjust disputes and to enforce a just and humane treatment of the employés. It is inexcusable that American laborers should be left within our own jurisdiction without access to any Government officer or tribunal for their protection and the redress of their wrongs.

International copyright has been secured, in accordance with the conditions of the act of March 3, 1891, with Belgium, France, Great Britain and the British possessions, and Switzerland, the laws of those countries permitting to our citizens the benefit of copyright on substantially the same basis as to their own citizens or subjects.

With Germany a special convention has been negotiated upon this subject, which will bring that country within the reciprocal benefits of our legislation.

The general interest in the operations of the Treasury Department has been much augmented during the last year by reason of the conflicting predictions, which accompanied and followed the tariff and other legislation of the last Congress affecting the revenues, as to the results of this legislation upon the Treasury and upon the country. On the one hand it was contended that imports would so fall off as to leave the Treasury bankrupt, and that the prices of articles entering into the living of the people would be so enhanced as to disastrously affect their comfort and happiness, while on the other it was argued that the loss to the revenue, largely the result of placing sugar on the free list, would be a direct gain to the people; that the prices of the necessaries of life, including those most highly protected, would not be enhanced; that labor would have a larger market and the products of the farm advanced prices; while the Treasury surplus and receipts would be adequate to meet the appropriations, including the large exceptional expenditures for the refunding to the States of the direct tax and the redemption of the 4½ per cent bonds.

It is not my purpose to enter at any length into a discussion of the effects of the legislation to which I have referred; but a brief examination of the statistics of the Treasury and a general glance at the state of business throughout the country will, I think, satisfy any impartial inquirer that its results have disappointed the evil prophecies of its opponents and in a large measure realized the hopeful predictions of its friends. Rarely, if ever before, in the history of the country has there been a time when the proceeds of one day's labor or the product of one farmed acre would purchase so large an amount of those things that enter into the living of the masses of the people. I believe that a full test will develop the fact that the tariff act of the Fifty-first Congress is very favorable in its average effect upon the prices of articles entering into common use.

During the twelve months from October 1, 1890, to September 30, 1891, the total value of our foreign commerce (imports and exports combined) was \$1,747,806,406, which was the largest of any year in the history of the United States. The largest in any previous year was in 1890, when our commerce amounted to \$1,647,139,093, and the last year exceeds this enormous aggregate by over one hundred millions. It is interesting, and to some will be surprising, to know that during the year ending September 30, 1891, our imports of merchandise amounted to \$824,715,270, which was an increase



of more than \$11,000,000 over the value of the imports of the corresponding months of the preceding year, when the imports of merchandise were unusually large in anticipation of the tariff legislation then pending. The average annual value of the imports of merchandise for the ten years from 1881 to 1890 was \$692,186,522, and during the year ending September 30, 1891, this annual average was exceeded by \$132,528,469.

The value of free imports during the twelve months ending September 30, 1891, was \$118,092,387 more than the value of free imports during the corresponding twelve months of the preceding year, and there was during the same period a decrease of \$106,846,508 in the value of imports of dutiable merchandise. The percentage of merchandise admitted free of duty during the year to which I have referred, the first under the new tariff, was 48.18, while during the preceding twelve months, under the old tariff, the percentage was 34.27, an increase of 13.91 per cent. If we take the six months ending September 30 last, which covers the time during which sugars have been admitted free of duty, the per cent of value of merchandise imported free of duty is found to be 55.37, which is a larger percentage of free imports than during any prior fiscal year in the history of the Government.

If we turn to exports of merchandise the statistics are full of gratification. The value of such exports of merchandise for the twelve months ending September 30, 1891, was \$923,091,136, while for the corresponding previous twelve months it was \$860,177,115, an increase of \$62,914,021, which is nearly three times the average annual increase of exports of merchandise for the preceding twenty years; this exceeds in amount and value the exports of merchandise during any year in the history of the Government. The increase in the value of exports of agricultural products during the year referred to over the corresponding twelve months of the prior year was \$45,846,197, while the increase in the value of exports of manufactured products was \$16,838,240.

There is certainly nothing in the condition of trade, foreign or domestic, there is certainly nothing in the condition of our people of any class, to suggest that the existing tariff and revenue legislation bears oppressively upon the people or retards the commercial development of the nation. It may be argued that our condition would be better if tariff legislation were upon a free-trade basis; but it can not be denied that all the conditions of prosperity and of general contentment are present in a larger degree than ever before in our history, and that, too, just when it was prophesied they would be in the worst state. Agitation for

radical changes in tariff and financial legislation can not help, but may seriously impede, business, to the prosperity of which some degree of stability in legislation is essential.

I think there are conclusive evidences that the new tariff has created several great industries which will, within a few years, give employment to several hundred thousand American working men and women. In view of the somewhat overcrowded condition of the labor market of the United States every patriotic citizen should rejoice at such a result.

The report of the Secretary of the Treasury shows that the total receipts of the Government, from all sources, for the fiscal year ending June 30, 1891, were \$458,544,233.03, while the expenditures for the same period were \$421,304,470.46, leaving a surplus of \$37,239,762.57.

The receipts of the fiscal year ending June 30, 1892, actual and estimated, are \$433,000,000 and the expenditures \$409,000,000. For the fiscal year ending June 30, 1893, the estimated receipts are \$455,336,350 and the expenditures \$441,300,093.

Under the law of July 14, 1890, the Secretary of the Treasury has purchased (since August 13) during the fiscal year 48,393,113 ounces of silver bullion at an average cost of \$1.045 per ounce. The highest price paid during the year was \$1.2025, and the lowest \$0.9636. In exchange for this silver bullion there have been issued \$50,577,498 of the Treasury notes authorized by the act. The lowest price of silver reached during the fiscal year was \$0.9636, on April 22, 1891; but on November 1 the market price was only \$0.96, which would give to the silver dollar a bullion value of 74¼ cents.

Before the influence of the prospective silver legislation was felt in the market silver was worth in New York about \$0.955 per ounce. The ablest advocates of free coinage in the last Congress were most confident in their predictions that the purchases by the Government required by the law would at once bring the price of silver to \$1.2929 per ounce, which would make the bullion value of a dollar 100 cents, and hold it there. The prophecies of the anti-silver men of disasters to result from the coinage of \$2,000,000 per month were not wider of the mark. The friends of free silver are not agreed, I think, as to the causes which brought their hopeful predictions to naught. Some facts are known. The exports of silver from London to India during the first nine months of this calendar year fell off over 50 per cent, or \$17,202,730, compared with the same months of the preceding year. The exports of domestic silver bullion from this country, which had averaged for the last ten years over \$17,000,000, fell in the last fiscal year to \$13,797,391; while, for the first time in

recent years, the imports of silver into this country exceeded the exports by the sum of \$2,745,365. In the previous year the net exports of silver from the United States amounted to \$8,545,455. The production of the United States increased from 50,000,000 ounces in 1889 to 54,500,000 in 1890. The Government is now buying and putting aside annually 54,000,000 ounces, which, allowing for 7,140,000 ounces of new bullion used in the arts, is 6,640,000 more than our domestic product available for coinage.

I hope the depression in the price of silver is temporary and that a further trial of this legislation will more favorably affect it. That the increased volume of currency thus supplied for the use of the people was needed and that beneficial results upon trade and prices have followed this legislation I think must be very clear to everyone; nor should it be forgotten that for every dollar of these notes issued a full dollar's worth of silver bullion is at the time deposited in the Treasury as a security for its redemption. Upon this subject, as upon the tariff, my recommendation is that the existing laws be given a full trial and that our business interests be spared the distressing influence which threats of radical changes always impart. Under existing legislation it is in the power of the Treasury Department to maintain that essential condition of national finance as well as of commercial prosperity—the parity in use of the coin dollars and their paper representatives. The assurance that these powers would be freely and unhesitatingly used has done much to produce and sustain the present favorable business conditions.

I am still of the opinion that the free coinage of silver under existing conditions would disastrously affect our business interests at home and abroad. We could not hope to maintain an equality in the purchasing power of the gold and silver dollar in our own markets, and in foreign trade the stamp gives no added value to the bullion contained in coins. The producers of the country, its farmers and laborers, have the highest interest that every dollar, paper or coin, issued by the Government, shall be as good as any other. If there is one less valuable than another its sure and constant errand will be to pay them for their toil and for their crops. The money-lender will protect himself by stipulating for payment in gold, but the laborer has never been able to do that. To place business upon a silver basis would mean a sudden and severe contraction of the currency, by the withdrawal of gold and gold notes, and such an unsettling of all values as would produce a commercial panic. I can not believe that a people so strong and prosperous as ours will promote such a policy.

The producers of silver are entitled to just consideration, but

they should not forget that the Government is now buying and putting out of the market what is the equivalent of the entire product of our silver mines. This is more than they themselves thought of asking two years ago. I believe it is the earnest desire of a great majority of the people, as it is mine, that a full coin use shall be made of silver just as soon as the coöperation of other nations can be secured and a ratio fixed that will give circulation equally to gold and silver. The business of the world requires the use of both metals; but I do not see any prospect of gain, but much of loss, by giving up the present system, in which a full use is made of gold and a large use of silver, for one in which silver alone will circulate. Such an event would be at once fatal to the further progress of the silver movement. Bimetallism is the desired end, and the true friends of silver will be careful not to overrun the goal and bring in silver monometallism, with its necessary attendants, the loss of our gold to Europe and the relief of the pressure there for a larger currency. I have endeavored by the use of official and unofficial agencies to keep a close observation of the state of public sentiment in Europe upon this question, and have not found it to be such as to justify me in proposing an international conference. There is, however, I am sure, a growing sentiment in Europe in favor of a larger use of silver, and I know of no more effectual way of promoting this sentiment than by accumulating gold here. A scarcity of gold in the European reserves will be the most persuasive argument for the use of silver.

The exports of gold to Europe, which began in February last and continued until the close of July, aggregated over \$70,000,000. The net loss of gold during the fiscal year was nearly \$68,000,000. That no serious monetary disturbance resulted was most gratifying, and gave to Europe fresh evidence of the strength and stability of our financial institutions. With the movement of crops the outflow of gold was speedily stopped, and a return set in. Up to December 1 we had recovered of our gold loss at the port of New York \$27,854,000, and it is confidently believed that during the winter and spring this aggregate will be steadily and largely increased.

The presence of a large cash surplus in the Treasury has for many years been the subject of much unfavorable criticism and has furnished an argument to those who have desired to place the tariff upon a purely revenue basis. It was agreed by all that the withdrawal from circulation of so large an amount of money was an embarrassment to the business of the country and made necessary the intervention of the Department at frequent intervals to relieve threatened monetary panics. The surplus on March 1, 1889, was

\$183,827,190.29. The policy of applying this surplus to the redemption of the interest-bearing securities of the United States was thought to be preferable to that of depositing it without interest in selected national banks. There have been redeemed since the date last mentioned of interest-bearing securities \$259,079,350, resulting in a reduction of the annual interest charge of \$11,684,675. The money which had been deposited in banks without interest has been gradually withdrawn and used in the redemption of bonds.

The result of this policy, of the silver legislation, and of the refunding of the 4½ per cent bonds has been a large increase of the money in circulation. At the date last named the circulation was \$1,404,205,896, or \$23.03 per capita; while on the 1st day of December, 1891, it had increased to \$1,577,262,070, or \$24.38 per capita. The offer of the Secretary of the Treasury to the holders of the 4½ per cent bonds to extend the time of redemption, at the option of the Government, at an interest of 2 per cent, was accepted by the holders of about one-half the amount, and the unextended bonds are being redeemed on presentation.

The report of the Secretary of War exhibits the results of an intelligent, progressive, and business-like administration of a department which has been too much regarded as one of mere routine. The separation of Secretary Proctor from the Department by reason of his appointment as a Senator from the State of Vermont is a source of great regret to me and to his colleagues in the Cabinet, as I am sure it will be to all those who have had business with the Department while under his charge.

In the administration of army affairs some especially good work has been accomplished. The efforts of the Secretary to reduce the percentage of desertions by removing the causes that promoted it have been so successful as to enable him to report for the last year a lower percentage of desertion that has been before reached in the history of the Army. The resulting money saving is considerable, but the improvement in the morale of the enlisted men is the most valuable incident of the reforms which have brought about this result.

The work of securing sites for shore batteries for harbor defense and the manufacture of mortars and guns of high power to equip them have made good progress during the year. The preliminary work of tests and plans, which so long delayed a start, is now out of the way. Some guns have been completed, and with an enlarged shop and a more complete equipment at Watervliet the Army will soon be abreast of the Navy in gun construction. Whatever unavoidable causes of delay may arise, there should be none from

delayed or insufficient appropriations. We shall be greatly embarrassed in the proper distribution and use of naval vessels until adequate shore defenses are provided for our harbors.

I concur in the recommendation of the Secretary that the three-battalion organization be adopted for the infantry. The adoption of a smokeless powder and of a modern rifle equal in range, precision, and rapidity of fire to the best now in use will, I hope, not be longer delayed.

The project of enlisting Indians and organizing them into separate companies upon the same basis as other soldiers was made the subject of very careful study by the Secretary and received my approval. Seven companies have been completely organized and seven more are in process of organization. The results of six months' training have more than realized the highest anticipations. The men are readily brought under discipline, acquire the drill with facility, and show great pride in the right discharge of their duties and perfect loyalty to their officers, who declare that they would take them into action with confidence. The discipline, order and cleanliness of the military posts will have a wholesome and elevating influence upon the men enlisted, and through them upon their tribes, while a more friendly feeling for the whites and a greater respect for the Government will certainly be promoted.

The great work done in the Record and Pension Division of the War Department by Major Ainsworth, of the Medical Corps, and the clerks under him, is entitled to honorable mention. Taking up the work with nearly 41,000 cases behind, he closed the last fiscal year without a single case left over, though the new cases had increased 52 per cent in number over the previous year by reason of the pension legislation of the last Congress.

I concur in the recommendation of the Attorney-General that the right in felony cases to a review by the Supreme Court be limited. It would seem that personal liberty would have a safe guaranty if the right of review in cases involving only fine and imprisonment were limited to the circuit court of appeals, unless a constitutional question should in some way be involved.

The judges of the Court of Private Land Claims, provided for by the act of March 3, 1891, have been appointed and the court organized. It is now possible to give early relief to communities long repressed in their development by unsettled land titles and to establish the possession and right of settlers whose lands have been rendered valueless by adverse and unfounded claims.

The act of July 9, 1888, provided for the incorporation and management of a reform school for girls in the District of Columbia ;

but it has remained inoperative for the reason that no appropriation has been made for construction or maintenance. The need of such an institution is very urgent. Many girls could be saved from depraved lives by the wholesome influences and restraints of such a school. I recommend that the necessary appropriation be made for a site and for construction.

The enforcement by the Treasury Department of the law prohibiting the coming of Chinese to the United States has been effective as to such as seek to land from vessels entering our ports. The result has been to divert the travel to vessels entering the ports of British Columbia, whence passage into the United States at obscure points along the Dominion boundary is easy. A very considerable number of Chinese laborers have, during the past year, entered the United States from Canada and Mexico.

The officers of the Treasury Department and of the Department of Justice have used every means at their command to intercept this immigration; but the impossibility of perfectly guarding our extended frontier is apparent. The Dominion Government collects a head tax of \$50 from every Chinaman entering Canada, and thus derives a considerable revenue from those who only use its ports to reach a position of advantage to evade our exclusion laws. There seems to be satisfactory evidence that the business of passing Chinamen through Canada to the United States is organized and quite active. The Department of Justice has construed the laws to require the return of any Chinaman found to be unlawfully in this country to China as the country from which he came, notwithstanding the fact that he came by way of Canada; but several of the district courts have, in cases brought before them, overruled this view of the law and decided that such persons must be returned to Canada. This construction robs the law of all effectiveness, even if the decrees could be executed, for the men returned can the next day recross our border. But the only appropriation made is for sending them back to China, and the Canadian officials refuse to allow them to reënter Canada without the payment of the \$50 head tax. I recommend such legislation as will remedy these defects in the law.

In previous messages I have called the attention of Congress to the necessity of so extending the jurisdiction of the United States courts as to make triable therein any felony committed while in the act of violating a law of the United States. These courts can not have that independence and effectiveness which the Constitution contemplates so long as the felonious killing of court officers, jurors, and witnesses in the discharge of their duties, or by reason of their

acts as such, is only cognizable in the State courts. The work done by the Attorney-General and the officers of his Department, even under the present inadequate legislation, has produced some notable results in the interest of law and order.

The Attorney-General and also the Commissioners of the District of Columbia call attention to the defectiveness and inadequacy of the laws relating to crimes against chastity in the District of Columbia. A stringent code upon this subject has been provided by Congress for Utah, and it is a matter of surprise that the needs of this District should have been so long overlooked.

In the report of the Postmaster-General some very gratifying results are exhibited and many betterments of the service suggested. A perusal of the report gives abundant evidence that the supervision and direction of the postal system have been characterized by an intelligent and conscientious desire to improve the service. The revenues of the Department show an increase of over \$5,000,000, with a deficiency for the year 1892 of less than \$4,000,000, while the estimate for the year 1893 shows a surplus of receipts over expenditures.

Ocean-mail post-offices have been established upon the steamers of the North German Lloyd and Hamburg lines, saving, by the distribution on shipboard, from two to fourteen hours' time in the delivery of mail at the port of entry and often much more than this in the delivery at interior places. So thoroughly has this system, initiated by Germany and the United States, evidenced its usefulness that it can not be long before it is installed upon all the great ocean mail-carrying steamships.

Eight thousand miles of new postal service has been established upon railroads, the car distribution to substations in the great cities has been increased about 12 per cent, while the percentage of errors in distribution has, during the past year, been reduced over one-half. An appropriation was given by the last Congress for the purpose of making some experiments in free delivery in the smaller cities and towns. The results of these experiments have been so satisfactory that the Postmaster-General recommends, and I concur in the recommendation, that the free-delivery system be at once extended to towns of 5,000 population. His discussion of the inadequate facilities extended under our present system to rural communities and his suggestions with a view to give these communities a fuller participation in the benefits of the postal service are worthy of your careful consideration. It is not just that the farmer, who receives his mail at a neighboring town, should not only be compelled to send to the post-office for it, but to pay a considerable rent for a



box in which to place it or to wait his turn at a general-delivery window, while the city resident has his mail brought to his door. It is stated that over 54,000 neighborhoods are, under the present system, receiving mail at post-offices where money orders and postal notes are not issued. The extension of this system to these communities is especially desirable, as the patrons of such offices are not possessed of the other facilities offered in more populous communities for the transmission of small sums of money.

I have, in a message to the preceding Congress, expressed my views as to a modified use of the telegraph in connection with the postal service.

In pursuance of the ocean-mail law of March 3, 1891, and after a most careful study of the whole subject and frequent conferences with shipowners, boards of trade, and others, advertisements were issued by the Postmaster-General for 53 lines of ocean-mail service: 10 to Great Britain and the Continent, 27 to South America, 3 to China and Japan, 4 to Australia and the Pacific Islands, 7 to the West Indies, and 2 to Mexico. It was not, of course, expected that bids for all these lines would be received or that service upon them all would be contracted for. It was intended, in furtherance of the act, to secure as many new lines as possible, while including in the list most or all of the foreign lines now occupied by American ships. It was hoped that a line to England and perhaps one to the Continent would be secured; but the outlay required to equip such lines wholly with new ships of the first class and the difficulty of establishing new lines in competition with those already established deterred bidders whose interest had been enlisted. It is hoped that a way may yet be found of overcoming these difficulties. The Brazil Steamship Company, by reason of a miscalculation as to the speed of its vessels, was not able to bid under the terms of the advertisement. The policy of the Department was to secure from the established lines an improved service as a condition of giving to them the benefits of the law. This in all instances has been attained. The Postmaster-General estimates that an expenditure in American shipyards of about \$10,000,000 will be necessary to enable the bidders to construct the ships called for by the service which they have accepted. I do not think there is any reason for discouragement or for any turning back from the policy of this legislation. Indeed, a good beginning has been made, and, as the subject is further considered and understood by capitalists and shipping people, new lines will be ready to meet future proposals, and we may date from the passage of this law the revival of American shipping interests and the recovery of a fair share of the

carrying trade of the world. We were receiving for foreign postage nearly \$2,000,000 under the old system and the outlay for ocean-mail service did not exceed \$600,000 per annum. It is estimated by the Postmaster-General that, if all the contracts proposed are completed, it will require \$247,354 for this year, in addition to the appropriation for sea and inland postage already in the estimates, and that for the next fiscal year, ending June 30, 1893, there would probably be needed about \$560,000.

The report of the Secretary of the Navy shows a gratifying increase of new naval vessels in commission. The *Newark*, *Concord*, *Bennington*, and *Miantonomoh* have been added during the year, with an aggregate of something more than 11,000 tons. Twenty-four war ships of all classes are now under construction in the navy-yards and private shops, but, while the work upon them is going forward satisfactorily, the completion of the more important vessels will yet require about a year's time. Some of the vessels now under construction, it is believed, will be triumphs of naval engineering. When it is recollected that the work of building a modern navy was only initiated in the year 1883, that our naval constructors and shipbuilders were practically without experience in the construction of large iron or steel ships, that our engine shops were unfamiliar with great marine engines, and that the manufacture of steel forgings for guns and plates was almost wholly a foreign industry, the progress that has been made is not only highly satisfactory, but furnishes the assurance that the United States will before long attain, in the construction of such vessels, with their engines and armaments, the same preëminence which it attained when the best instrument of ocean commerce was the clipper ship and the most impressive exhibit of naval power the old wooden three-decker man-of-war. The officers of the Navy and the proprietors and engineers of our great private shops have responded with wonderful intelligence and professional zeal to the confidence expressed by Congress in its liberal legislation. We have now at Washington a gun shop, organized and conducted by naval officers, that in its system, economy, and product is unexcelled. Experiments with armor plate have been conducted during the year with most important results. It is now believed that a plate of higher resisting power than any in use has been found and that the tests have demonstrated that cheaper methods of manufacture than those heretofore thought necessary can be used.

I commend to your favorable consideration the recommendations of the Secretary, who has, I am sure, given to them the most conscientious study. There should be no hesitation in promptly

completing a navy of the best modern type, large enough to enable this country to display its flag in all seas for the protection of its citizens and of its extending commerce. The world needs no assurance of the peaceful purposes of the United States, but we shall probably be in the future more largely a competitor in the commerce of the world, and it is essential to the dignity of this nation and to that peaceful influence which it should exercise on this hemisphere that its navy should be adequate, both upon the shores of the Atlantic and of the Pacific.

The report of the Secretary of the Interior shows that a very gratifying progress has been made in all of the bureaus which make up that complex and difficult Department.

The work in the Bureau of Indian Affairs was perhaps never so large as now, by reason of the numerous negotiations which have been proceeding with the tribes for a reduction of the reservations, with the incident labor of making allotments, and was never more carefully conducted. The provision of adequate school facilities for Indian children and the locating of adult Indians upon farms involve the solution of the "Indian question." Everything else—rations, annuities, and tribal negotiations, with the agents, inspectors, and commissioners who distribute and conduct them—must pass away when the Indian has become a citizen, secure in the individual ownership of a farm from which he derives his subsistence by his own labor, protected by and subordinate to the laws which govern the white man, and provided by the General Government or by the local communities in which he lives with the means of educating his children. When an Indian becomes a citizen in an organized State or Territory his relation to the General Government ceases, in great measure, to be that of a ward; but the General Government ought not at once to put upon the State or Territory the burden of the education of his children. It has been my thought that the Government schools and school buildings upon the reservations would be absorbed by the school systems of the States and Territories; but, as it has been found necessary to protect the Indian against the compulsory alienation of his land by exempting him from taxation for a period of twenty-five years, it would seem to be right that the General Government, certainly where there are tribal funds in its possession, should pay to the school fund of the State what would be equivalent to the local school tax upon the property of the Indian. It will be noticed from the report of the Commissioner of Indian Affairs that already some contracts have been made with district schools for the education of Indian children. There is great advantage, I think, in bringing the Indian children into mixed

schools. This process will be gradual, and in the meantime the present educational provisions and arrangements, the result of the best experience of those who have been charged with this work, should be continued. This will enable those religious bodies that have undertaken the work of Indian education with so much zeal, and with results so restraining and beneficent, to place their institutions in new and useful relations to the Indian and to his white neighbors.

The outbreak among the Sioux, which occurred in December last, is as to its causes and incidents fully reported upon by the War Department and the Department of the Interior. That these Indians had some just complaints, especially in the matter of the reduction of the appropriation for rations and in the delays attending the enactment of laws to enable the Department to perform the engagements entered into with them, is probably true; but the Sioux tribes are naturally warlike and turbulent, and their warriors were excited by their medicine men and chiefs, who preached the coming of an Indian Messiah who was to give them power to destroy their enemies. In view of the alarm that prevailed among the white settlers near the reservation and of the fatal consequences that would have resulted from an Indian incursion, I placed at the disposal of General Miles, commanding the division of the Missouri, all such forces as were thought by him to be required. He is entitled to the credit of having given thorough protection to the settlers and of bringing the hostiles into subjection with the least possible loss of life.

The appropriation of \$2,991,450 for the Choctaws and Chickasaws, contained in the general Indian appropriation bill of March 3, 1891, has not been expended, for the reason that I have not yet approved a release (to the Government) of the Indian claim to the lands mentioned. This matter will be made the subject of a special message, placing before Congress all the facts which have come to my knowledge.

The relation of the five civilized tribes now occupying the Indian Territory to the United States is not, I believe, that best calculated to promote the highest advancement of these Indians. That there should be within our borders five independent States, having no relations, except those growing out of treaties, with the Government of the United States, no representation in the national legislature, its people not citizens, is a startling anomaly.

It seems to me to be inevitable that there shall be before long some organic changes in the relation of these people to the United States. What form these changes should take I do not think it

desirable now to suggest, even if they were well defined in my own mind. They should certainly involve the acceptance of citizenship by the Indians and a representation in Congress. These Indians should have opportunity to present their claims and grievances upon the floor rather than, as now, in the lobby. If a commission could be appointed to visit these tribes to confer with them in a friendly spirit upon this whole subject, even if no agreement were presently reached, the feeling of the tribes upon this question would be developed and discussion would prepare the way for changes which must come sooner or later.

The good work of reducing the larger Indian reservations, by allotments in severalty to the Indians and the cession of the remaining lands to the United States for disposition under the homestead law, has been prosecuted during the year with energy and success. In September last I was enabled to open to settlement in the Territory of Oklahoma 900,000 acres of land, all of which was taken up by settlers in a single day. The rush for these lands was accompanied by a great deal of excitement, but was, happily, free from incidents of violence.

It was a source of great regret that I was not able to open at the same time the surplus lands of the Cheyenne and Arapahoe Reservation, amounting to about 3,000,000 acres, by reason of the insufficiency of the appropriation for making the allotments. Deserving and impatient settlers are waiting to occupy these lands, and I urgently recommend that a special deficiency appropriation be promptly made of the small amount needed, so that the allotments may be completed and the surplus lands opened in time to permit the settlers to get upon their homesteads in the early spring.

During the past summer the Cherokee Commission have completed arrangements with the Wichita, Kickapoo, and Tonkawa tribes, whereby, if the agreements are ratified by Congress, over 800,000 additional acres will be opened to settlement in Oklahoma.

The negotiation for the release by the Cherokees of their claim to the Cherokee Strip has made no substantial progress, so far as the Department is officially advised, but it is still hoped that the cession of this large and valuable tract may be secured. The price which the Commission was authorized to offer—one dollar and a quarter per acre—is, in my judgment, when all the circumstances as to title and the character of the lands are considered, a fair and adequate one and should have been accepted by the Indians.

Since March 4, 1889, about 23,000,000 acres have been separated from Indian reservations and added to the public domain for the use of those who desired to secure free homes under our beneficent

laws. It is difficult to estimate the increase of wealth which will result from the conversion of these waste lands into farms, but it is more difficult to estimate the betterment which will result to the families that have found renewed hope and courage in the ownership of a home and the assurance of a comfortable subsistence under free and healthful conditions. It is also gratifying to be able to feel, as we may, that this work has proceeded upon lines of justice towards the Indian, and that he may now, if he will, secure to himself the good influences of a settled habitation, the fruits of industry, and the security of citizenship.

Early in this administration a special effort was begun to bring up the work of the General Land Office. By faithful work the arrearages have been rapidly reduced. At the end of the last fiscal year only 84,172 final agricultural entries remained undisposed of, and the Commissioner reports that, with the present force, the work can be fully brought up by the end of the next fiscal year.

Your attention is called to the difficulty presented by the Secretary of the Interior as to the administration of the law of March 3, 1891, establishing a court of private land claims. The small holdings intended to be protected by the law are estimated to be more than fifteen thousand in number. The claimants are a most deserving class and their titles are supported by the strongest equities. The difficulty grows out of the fact that the lands have largely been surveyed according to our methods, while the holdings, many of which have been in the same family for generations, are laid out in narrow strips a few rods wide upon a stream and running back to the hills for pasturage and timber. Provision should be made for numbering these tracts as lots and for patenting them by such numbers, and without reference to section lines.

The administration of the Pension Bureau has been characterized during the year by great diligence. The total number of pensioners upon the roll on the 30th day of June, 1891, was 676,160. There were allowed during the fiscal year ending at that time 250,565 cases. Of this number, 102,387 were allowed under the law of June 27, 1890. The issuing of certificates has been proceeding at the rate of about 30,000 per month, about 75 per cent of these being cases under the new law. The Commissioner expresses the opinion that he will be able to carefully adjudicate and allow 350,000 claims during the present fiscal year. The appropriation for the payment of pensions for the fiscal year 1890-'91 was \$127,685,793.89 and the amount expended \$118,530,649.25, leaving an unexpended surplus of \$9,155,144.64.

The Commissioner is quite confident that there will be no call

this year for a deficiency appropriation, notwithstanding the rapidity with which the work is being pushed. The mistake which has been made by many in their exaggerated estimates of the cost of pensions is in not taking account of the diminished value of first payments under the recent legislation. These payments, under the general law, have been for many years very large, as the pensions, when allowed, dated from the time of filing the claim, and most of these claims had been pending for years. The first payments under the law of June, 1890, are relatively small, and as the per cent of these cases increases and that of the old cases diminishes, the annual aggregate of first payments is largely reduced. The Commissioner, under date of November 13, furnishes me with the statement that during the last four months 113,175 certificates were issued, 27,893 under the general law and 85,282 under the act of June 27, 1890. The average first payment during these four months was \$131.85, while the average first payment upon cases allowed during the year ending June 30, 1891, was \$239.33, being a reduction in the average first payments during these four months of \$107.48.

The estimate for pension expenditures for the fiscal year ending June 30, 1893, is \$144,956,000, which, after a careful examination of the subject, the Commissioner is of the opinion will be sufficient. While these disbursements to the disabled soldiers of the great civil war are large, they do not realize the exaggerated estimates of those who oppose this beneficent legislation. The Secretary of the Interior shows with great fullness the care that is taken to exclude fraudulent claims, and also the gratifying fact that the persons to whom these pensions are going are men who rendered not slight, but substantial, war service.

The report of the Commissioner of Railroads shows that the total debt of the subsidized railroads to the United States was, on December 31, 1890, \$112,512,613.06. A large part of this debt is now fast approaching maturity, with no adequate provision for its payment. Some policy for dealing with this debt, with a view of its ultimate collection, should be at once adopted. It is very difficult, well nigh impossible, for so large a body as the Congress to conduct the necessary negotiations and investigations. I therefore recommend that provision be made for the appointment of a commission to agree upon and report a plan for dealing with this debt.

The work of the Census Bureau is now far in advance and the great bulk of the enormous labor involved completed. It will be more strictly a statistical exhibit and less encumbered by essays

than its immediate predecessors. The methods pursued have been fair, careful, and intelligent, and have secured the approval of the statisticians, who have followed them with a scientific and nonpartisan interest. The appropriations necessary to the early completion and publication of the authorized volumes should be given in time to secure against delays, which increase the cost and at the same time diminish the value of the work.

The report of the Secretary exhibits, with interesting fullness, the condition of the Territories. They have shared with the States the great increase in farm products and are bringing yearly large areas into cultivation by extending their irrigating canals. This work is being done by individuals or local corporations and without that system which a full preliminary survey of the water supply and of the irrigable lands would enable them to adopt. The future of the Territories of New Mexico, Arizona, and Utah in their material growth and in the increase, independence, and happiness of their people is very largely dependent upon wise and timely legislation, either by Congress or their own legislatures, regulating the distribution of the water supply furnished by their streams. If this matter is much longer neglected, private corporations will have unrestricted control of one of the elements of life and the patentees of the arid lands will be tenants at will of the water companies.

The United States should part with its ownership of the water sources and the sites for reservoirs, whether to the States and Territories or to individuals or corporations, only upon conditions that will insure to the settlers their proper water supply upon equal and reasonable terms. In the Territories this whole subject is under the full control of Congress, and in the States it is practically so as long as the Government holds the title to the reservoir sites and water sources and can grant them upon such conditions as it chooses to impose. The improvident granting of franchises of enormous value, without recompense to the State or municipality from which they proceed and without proper protection of the public interests, is the most noticeable and flagrant evil of modern legislation. This fault should not be committed in dealing with a subject that will, before many years, affect so vitally thousands of our people.

The legislation of Congress for the repression of polygamy has, after years of resistance on the part of the Mormons, at last brought them to the conclusion that resistance is unprofitable and unavailing. The power of Congress over this subject should not be surrendered until we have satisfactory evidence that the people of the State to be created would exercise the exclusive power of the State over this subject in the same way. The question is not



whether these people now obey the laws of Congress against polygamy, but rather would they make, enforce, and maintain such laws themselves if absolutely free to regulate the subject? We can not afford to experiment with this subject, for when a State is once constituted the act is final and any mistake irretrievable. No compact in the enabling act could, in my opinion, be binding or effective.

I recommend that provision be made for the organization of a simple form of town government in Alaska, with power to regulate such matters as are usually in the States under municipal control. These local civil organizations will give better protection in some matters than the present skeleton Territorial organization. Proper restrictions as to the power to levy taxes and to create debt should be imposed.

If the establishment of the Department of Agriculture was regarded by anyone as a mere concession to the unenlightened demand of a worthy class of people, that impression has been most effectually removed by the great results already attained. Its home influence has been very great in disseminating agricultural and horticultural information; in stimulating and directing a further diversification of crops; in detecting and eradicating diseases of domestic animals; and, more than all, in the close and informal contact which it has established and maintains with the farmers and stock-raisers of the whole country. Every request for information has had prompt attention and every suggestion merited consideration. The scientific corps of the Department is of a high order and is pushing its investigations with method and enthusiasm.

The inspection by this Department of cattle and pork products intended for shipment abroad has been the basis of the success which has attended our efforts to secure the removal of the restrictions maintained by the European governments.

For ten years protests and petitions upon this subject from the packers and stock-raisers of the United States have been directed against these restrictions, which so seriously limited our markets and curtailed the profits of the farm. It is a source of general congratulation that success has at last been attained, for the effects of an enlarged foreign market for these meats will be felt, not only by the farmer, but in our public finances and in every branch of trade. It is particularly fortunate that the increased demand for food products, resulting from the removal of the restrictions upon our meats and from the reciprocal trade arrangements to which I have referred, should have come at a time when the agricultural surplus is so large. Without the help thus derived, lower prices

would have prevailed. The Secretary of Agriculture estimates that the restrictions upon the importation of our pork products into Europe lost us a market for \$20,000,000 worth of these products annually.

The grain crop of this year was the largest in our history, 50 per cent greater than that of last year, and yet the new markets that have been opened and the larger demand resulting from short crops in Europe have sustained prices to such an extent that the enormous surplus of meats and breadstuffs will be marketed at good prices, bringing relief and prosperity to an industry that was much depressed. The value of the grain crop of the United States is estimated by the Secretary to be this year \$500,000,000 more than last; of meats, \$150,000,000 more, and of all products of the farm, \$700,000,000 more. It is not inappropriate, I think, here to suggest that our satisfaction in the contemplation of this marvelous addition to the national wealth is unclouded by any suspicion of the currency by which it is measured and in which the farmer is paid for the products of his fields.

The report of the Civil Service Commission should receive the careful attention of the opponents as well as the friends, of this reform. The Commission invites a personal inspection by Senators and Representatives of its records and methods; and every fair critic will feel that such an examination should precede a judgment of condemnation, either of the system or its administration. It is not claimed that either is perfect, but I believe that the law is being executed with impartiality, and that the system is incomparably better and fairer than that of appointments upon favor. I have during the year extended the classified service to include superintendents, teachers, matrons, and physicians in the Indian service. This branch of the service is largely related to educational and philanthropic work, and will obviously be better for the change.

The heads of the several Executive Departments have been directed to establish at once an efficiency record as the basis of a comparative rating of the clerks within the classified service, with a view to placing promotions therein upon the basis of merit. I am confident that such a record, fairly kept and open to the inspection of those interested, will powerfully stimulate the work of the Departments, and will be accepted by all as placing the troublesome matter of promotions upon a just basis.

I recommend that the appropriations for the Civil Service Commission be made adequate to the increased work of the next fiscal year.

I have twice before urgently called the attention of Congress to the necessity of legislation for the protection of the lives of railroad employés, but nothing has yet been done. During the year ending June 30, 1890, 369 brakemen were killed and 7,841 maimed while engaged in coupling cars. The total number of railroad employés killed during the year was 2,451 and the number injured 22,390. This is a cruel and largely a needless sacrifice. The Government is spending nearly \$1,000,000 annually to save the lives of shipwrecked seamen; every steam vessel is rigidly inspected and required to adopt the most approved safety appliances. All this is good; but how shall we excuse the lack of interest and effort in behalf of this army of brave young men who in our land commerce are being sacrificed every year by the continued use of antiquated and dangerous appliances? A law requiring of every railroad engaged in interstate commerce the equipment each year of a given per cent of its freight cars with automatic couplers and air brakes would compel an agreement between the roads as to the kind of brakes and couplers to be used, and would very soon and very greatly reduce the present fearful death rate among railroad employés.

The method of appointment by the States of electors of President and Vice-President has recently attracted renewed interest by reason of a departure by the State of Michigan from the method which had become uniform in all the States. Prior to 1832 various methods had been used by the different States and even by the same State. In some the choice was made by the legislature; in others electors were chosen by districts, but more generally by the voters of the whole State upon a general ticket. The movement towards the adoption of the last-named method had an early beginning and went steadily forward among the States, until in 1832 there remained but a single State, South Carolina, that had not adopted it. That State, until the civil war, continued to choose its electors by a vote of the legislature, but after the war changed its method and conformed to the practice of the other States. For nearly sixty years all the States save one have appointed their electors by a popular vote upon a general ticket, and for nearly thirty years this method was universal.

After a full test of other methods, without important division or dissent in any State and without any purpose of party advantage, as we must believe, but solely upon the considerations that uniformity was desirable and that a general election in territorial divisions not subject to change was most consistent with the popular character of our institutions, best preserved the equality of the voters, and

perfectly removed the choice of President from the baneful influence of the "gerrymander," the practice of all the States was brought into harmony. That this concurrence should now be broken is, I think, an unfortunate and even a threatening episode, and one that may well suggest whether the States that still give their approval to the old and prevailing method ought not to secure, by a constitutional amendment, a practice which has had the approval of all. The recent Michigan legislation provides for choosing what are popularly known as the Congressional electors for President by Congressional districts, and the two Senatorial electors by districts created for that purpose. This legislation was, of course, accompanied by a new Congressional apportionment and the two statutes bring the electoral vote of the State under the influence of the "gerrymander."

These gerrymanders for Congressional purposes are in most cases buttressed by a gerrymander of the legislative districts, thus making it impossible for a majority of the legal voters of the State to correct the apportionment and equalize the Congressional districts. A minority rule is established that only a political convulsion can overthrow. I have recently been advised that in one county of a certain State three districts for the election of members of the legislature are constituted as follows: One has 65,000 population; one, 15,000, and one, 10,000; while in another county, detached, non contiguous sections have been united to make a legislative district. These methods have already found effective application to the choice of Senators and Representatives in Congress, and now an evil start has been made in the direction of applying them to the choice by the States of electors of President and Vice-President. If this is accomplished, we shall then have the three great departments of the Government in the grasp of the "gerrymander," the Legislative and Executive directly and the Judiciary indirectly through the power of appointment.

An election implies a body of electors having prescribed qualifications, each one of whom has an equal value and influence in determining the result. So when the Constitution provides that "each State shall appoint" (elect), "in such manner as the legislature thereof may direct, a number of electors," etc., an unrestricted power was not given to the legislatures in the selection of the methods to be used. "A republican form of government" is guaranteed by the Constitution to each State, and the power given by the same instrument to the legislatures of the States to prescribe methods for the choice, by the State, of electors must be exercised under that limitation. The essential features of such a

government are the right of the people to choose their own officers and the nearest practicable equality of value in the suffrages given in determining that choice.

It will not be claimed that the power given to the legislature would support a law providing that the persons receiving the smallest vote should be the electors or a law that all the electors should be chosen by the voters of a single Congressional district. The State is to choose, and, under the pretense of regulating methods, the legislature can neither vest the right of choice elsewhere nor adopt methods not conformable to republican institutions. It is not my purpose here to discuss the question whether a choice by the legislature or by the voters of equal single districts is a choice by the State, but only to recommend such regulation of this matter by constitutional amendment as will secure uniformity and prevent that disgraceful partisan jugglery to which such a liberty of choice, if its exists, offers a temptation.

Nothing just now is more important than to provide every guaranty for the absolutely fair and free choice by an equal suffrage, within the respective States, of all the officers of the National Government, whether that suffrage is applied directly, as in the choice of members of the House of Representatives, or indirectly, as in the choice of Senators and electors of President. Respect for public officers and obedience to law will not cease to be the characteristics of our people until our elections cease to declare the will of majorities fairly ascertained, without fraud, suppression, or gerrymander. If I were called upon to declare wherein our chief national danger lies, I should say, without hesitation, in the overthrow of majority control by the suppression or perversion of the popular suffrage. That there is a real danger here all must agree, but the energies of those who see it have been chiefly expended in trying to fix responsibility upon the opposite party, rather than in efforts to make such practices impossible by either party.

Is it not possible now to adjourn that interminable and inconclusive debate while we take, by consent, one step in the direction of reform by eliminating the gerrymander, which has been denounced by all parties, as an influence in the selection of electors of President and members of Congress? All the States have, acting freely and separately, determined that the choice of electors by a general ticket is the wisest and safest method, and it would seem there could be no objection to a constitutional amendment making that method permanent. If a legislature chosen in one year upon purely local questions should, pending a Presidential contest, meet, rescind the law for a choice upon a general ticket, and provide for the choice

of electors by the legislature, and this trick should determine the result, it is not too much to say that the public peace might be seriously and widely endangered.

I have alluded to the "gerrymander" as affecting the method of selecting electors of President by Congressional districts, but the primary intent and effect of this form of political robbery have relation to the selection of members of the House of Representatives. The power of Congress is ample to deal with this threatening and intolerable abuse. The unfailing test of sincerity in election reform will be found in a willingness to confer as to remedies and to put into force such measures as will most effectually preserve the right of the people to free and equal representation.

An attempt was made in the last Congress to bring to bear the constitutional powers of the General Government for the correction of frauds against the suffrage. It is important to know whether the opposition to such measures is really vested in particular features supposed to be objectionable or includes any proposition to give to the election laws of the United States adequacy to the correction of grave and acknowledged evils. I must yet entertain the hope that it is possible to secure a calm, patriotic consideration of such constitutional or statutory changes as may be necessary to secure the choice of the officers of the Government to the people by fair apportionments and free elections.

I believe it would be possible to constitute a commission, nonpartisan in its membership and composed of patriotic, wise, and impartial men, to whom a consideration of the question of the evils connected with our election system and methods might be committed with a good prospect of securing unanimity in some plan for removing or mitigating those evils. The Constitution would permit the selection of the commission to be vested in the Supreme Court, if that method would give the best guaranty of impartiality.

This commission should be charged with the duty of inquiring into the whole subject of the law of elections as related to the choice of officers of the National Government, with a view to securing to every elector a free and unmolested exercise of the suffrage and as near an approach to an equality of value in each ballot cast as is attainable.

While the policies of the General Government upon the tariff, upon the restoration of our merchant marine, upon river and harbor improvements, and other such matters of grave and general concern are liable to be turned this way or that by the results of Congressional elections, and administrative policies, sometimes

involving issues that tend to peace or war, to be turned this way or that by the results of a Presidential election, there is a rightful interest in all the States and in every Congressional district that will not be deceived or silenced by the audacious pretense that the question of the right of any body of legal voters in any State or in any Congressional district to give their suffrages freely upon these general questions is a matter only of local concern or control. The demand that the limitations of suffrage shall be found in the law, and only there, is a just demand, and no just man should resent or resist it. My appeal is, and must continue to be, for a consultation that shall "proceed with candor, calmness, and patience upon the lines of justice and humanity, not of prejudice and cruelty."

To the consideration of these very grave questions I invite not only the attention of Congress, but that of all patriotic citizens. We must not entertain the delusion that our people have ceased to regard a free ballot and equal representation as the price of their allegiance to laws and to civil magistrates.

I have been greatly rejoiced to notice many evidences of the increased unification of our people and of a revived national spirit. The vista that now opens to us is wider and more glorious than ever before. Gratification and amazement struggle for supremacy as we contemplate the population, wealth, and moral strength of our country. A trust, momentous in its influence upon our people and upon the world, is for a brief time committed to us, and we must not be faithless to its first condition—the defense of the free and equal influence of the people in the choice of public officers and in the control of public affairs.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*December 9, 1891.*

IV.

DECEMBER 6, 1892.

*To the Senate and House of Representatives :*

In submitting my annual message to Congress, I have great satisfaction in being able to say that the general conditions affecting the commercial and industrial interests of the United States are in the highest degree favorable. A comparison of the existing conditions with those of the most favored period in the history of the country will, I believe, show that so high a degree of prosperity and so general a diffusion of the comforts of life were never before enjoyed by our people.

The total wealth of the country in 1860 was \$16,159,616,068. In 1890 it amounted to \$62,610,000,000, an increase of 287 per cent.

The total mileage of railways in the United States in 1860 was 30,626; in 1890 it was 167,741, an increase of 448 per cent; and it is estimated that there will be about 4,000 miles of track added by the close of the year 1892.

The official returns of the Eleventh Census and those of the Tenth Census for 75 leading cities furnish the basis for the following comparisons :

In 1880 the capital invested in manufacturing was \$1,232,839,670.

In 1890 the capital invested in manufacturing was \$2,900,735,884.

In 1880 the number of employés was 1,301,388.

In 1890 the number of employés was 2,251,134.

In 1880 the wages earned were \$501,965,778.

In 1890 the wages earned were \$1,221,170,454.

In 1880 the value of the product was \$2,711,579,899.

In 1890 the value of the product was \$4,860,286,837.

I am informed by the Superintendent of the Census that the omission of certain industries in 1880, which were included in 1890, accounts in part for the remarkable increase thus shown. But, after making full allowance for differences of method and deducting the returns for all industries not included in the Census of 1880, there remain in the reports from these seventy-five cities an increase in the capital employed of \$1,522,745,604; in the value of the product of \$2,024,236,166; in wages earned of \$677,943,929, and in the number of wage-earners employed of 856,029. The wage earnings not only show an increased aggregate, but an increase per capita from \$386 in 1880 to \$547 in 1890, or 41.71 per cent.



The new industrial plants established since October 6, 1890, and up to October 22, 1892, as partially reported in the *American Economist*, number 345, and the extension of existing plants, 108; the new capital invested amounts to \$40,449,050, and the number of additional employes to 37,285.

The *Textile World* for July, 1892, states that during the first six months of the present calendar year 135 new factories were built, of which 40 are cotton mills, 48 knitting mills, 26 woolen mills, 15 silk mills, 4 plush mills, and 2 linen mills. Of the 40 cotton mills 21 have been built in the Southern States. Mr. A. B. Shepperson, of the New York Cotton Exchange, estimates the number of working spindles in the United States on September 1, 1892, at 15,200,000, an increase of 660,000 over the year 1891. The consumption of cotton by American mills in 1891 was 2,396,000 bales, and in 1892 2,584,000 bales, an increase of 188,000 bales. From the year 1869 to 1892, inclusive, there has been an increase in the consumption of cotton in Europe of 92 per cent, while during the same period the increased consumption in the United States has been about 150 per cent.

The report of Ira Ayer, special agent of the Treasury Department, shows that at the date of September 30, 1892, there were 32 companies manufacturing tin and terne plate in the United States and 14 companies building new works for such manufacture. The estimated investment in buildings and plants at the close of the fiscal year, June 30, 1893, if existing conditions were to be continued, was \$5,000,000, and the estimated rate of production 200,000,000 pounds per annum. The actual production for the quarter ending September 30, 1892, was 10,952,725 pounds.

The report of Labor Commissioner Peck, of New York, shows that during the year 1891, in about 6,000 manufacturing establishments in that State embraced within the special inquiry made by him, and representing 67 different industries, there was a net increase over the year 1890 of \$31,315,130.68 in the value of the product, and of \$6,377,925.09 in the amount of wages paid. The report of the commissioner of labor for the State of Massachusetts shows that 3,745 industries in that State paid \$129,416,248 in wages during the year 1891, against \$126,030,303 in 1890, an increase of \$3,335,945, and that there was an increase of \$9,932,490 in the amount of capital and of 7,346 in the number of persons employed in the same period.

During the last six months of the year 1891 and the first six months of 1892 the total production of pig iron was 9,710,819 tons, as against 9,202,703 tons in the year 1890, which was the largest annual

production ever attained. For the same twelve months of 1891-'92 the production of Bessemer ingots was 3,878,581 tons, an increase of 189,710 gross tons over the previously unprecedented yearly production of 3,688,871 gross tons in 1890. The production of Bessemer steel rails for the first six months of 1892 was 772,436 gross tons, as against 702,080 gross tons during the last six months of the year 1891.

The total value of our foreign trade (exports and imports of merchandise) during the last fiscal year was \$1,857,680,610, an increase of \$128,283,604 over the previous fiscal year. The average annual value of our imports and exports of merchandise for the ten fiscal years prior to 1891 was \$1,457,322,019. It will be observed that our foreign trade for 1892 exceeded this annual average value by \$400,358,591, an increase of 27.47 per cent. The significance and value of this increase are shown by the fact that the excess in the trade of 1892 over 1891 was wholly in the value of exports, for there was a decrease in the value of imports of \$17,513,754.

The value of our exports during the fiscal year 1892 reached the highest figure in the history of the Government, amounting to \$1,030,278,148, exceeding by \$145,797,338 the exports of 1891 and exceeding the value of the imports by \$202,875,686. A comparison of the value of our exports for 1892 with the annual average for the ten years prior to 1891 shows an excess of \$265,142,651, or of 34.65 per cent. The value of our imports of merchandise for 1892, which was \$829,402,462, also exceeded the annual average value of the ten years prior to 1891 by \$135,215,940. During the fiscal year 1892 the value of imports free of duty amounted to \$457,999,658, the largest aggregate in the history of our commerce. The value of the imports of merchandise entered free of duty in 1892 was 55.35 per cent of the total value of imports, as compared with 43.35 per cent in 1891 and 33.66 per cent in 1890.

In our coastwise trade a most encouraging development is in progress, there having been in the last four years an increase of 16 per cent. In internal commerce the statistics show that no such period of prosperity has ever before existed. The freight carried in the coastwise trade of the Great Lakes in 1890 aggregated 28,295,959 tons. On the Mississippi, Missouri, and Ohio rivers and tributaries in the same year the traffic aggregated 29,405,046 tons, and the total vessel tonnage passing through the Detroit River during that year was 21,684,000 tons. The vessel tonnage entered and cleared in the eign trade of London during 1890 amounted to 13,480,767 tons, and of Liverpool 10,941,800 tons, a total for these two great shipping ports of 24,422,568 tons, only slightly in excess of the vessel ton-

nage passing through the Detroit River. And it should be said that the season for the Detroit River was but 228 days, while, of course, in London and Liverpool the season was for the entire year. The vessel tonnage passing through the St. Marys Canal for the fiscal year 1892 amounted to 9,828,874 tons, and the freight tonnage of the Detroit River is estimated for that year at 25,000,000 tons, against 23,209,619 tons in 1891. The aggregate traffic on our railroads for the year 1891 amounted to 704,398,609 tons of freight, compared with 691,344,437 tons in 1890, an increase of 13,054,172 tons.

Another indication of the general prosperity of the country is found in the fact that the number of depositors in savings banks increased from 693,870 in 1860 to 4,258,893 in 1890, an increase of 513 per cent, and the amount of deposits from \$149,277,504 in 1860 to \$1,524,844,506 in 1890, an increase of 921 per cent. In 1891 the amount of deposits in savings banks was \$1,623,079,749. It is estimated that 90 per cent of these deposits represent the savings of wage-earners. The bank clearances for nine months ending September 30, 1891, amounted to \$41,049,390,808. For the same months in 1892 they amounted to \$45,189,601,947, an excess for the nine months of \$4,140,211,139.

There never has been a time in our history when work was so abundant or when wages were as high, whether measured by the currency in which they are paid or by their power to supply the necessaries and comforts of life. It is true that the market prices of cotton and wheat have been low. It is one of the unfavorable incidents of agriculture that the farmer can not produce upon orders. He must sow and reap in ignorance of the aggregate production of the year, and is peculiarly subject to the depreciation which follows overproduction. But, while the fact I have stated is true, as to the crops mentioned, the general average of prices has been such as to give to agriculture a fair participation in the general prosperity. The value of our total farm products has increased from \$1,363,646,866 in 1860 to \$4,500,000,000 in 1891, as estimated by statisticians, an increase of 230 per cent. The number of hogs January 1, 1891, was 50,625,106 and their value \$210,193,925; on January 1, 1892, the number was 52,398,019 and the value \$241,031,415. On January 1, 1891, the number of cattle was 36,875,648 and the value \$544,127,908; on January 1, 1892, the number was 37,651,239 and the value \$570,749,155.

If any are discontented with their state here; if any believe that wages or prices, the returns for honest toil, are inadequate, they should not fail to remember that there is no other country in the world where the conditions that seem to them hard would not

be accepted as highly prosperous. The English agriculturist would be glad to exchange the returns of his labor for those of the American farmer, and the Manchester workmen their wages for those of their fellows at Fall River.

I believe that the protective system, which has now for something more than thirty years continuously prevailed in our legislation, has been a mighty instrument for the development of our national wealth and a most powerful agency in protecting the homes of our workingmen from the invasion of want. I have felt a most solicitous interest to preserve to our working people rates of wages that would not only give daily bread but supply a comfortable margin for those home attractions and family comforts and enjoyments without which life is neither hopeful nor sweet. They are American citizens—a part of the great people for whom our Constitution and Government were framed and instituted—and it can not be a perversion of that Constitution to so legislate as to preserve in their homes the comfort, independence, loyalty, and sense of interest in the Government which are essential to good citizenship in peace, and which will bring this stalwart throng, as in 1861, to the defense of the flag when it is assailed.

It is not my purpose to renew here the argument in favor of a protective tariff. The result of the recent election must be accepted as having introduced a new policy. We must assume that the present tariff, constructed upon the lines of protection, is to be repealed, and that there is to be substituted for it a tariff law constructed solely with reference to revenue; that no duty is to be higher because the increase will keep open an American mill or keep up the wages of an American workman, but that in every case such a rate of duty is to be imposed as will bring to the Treasury of the United States the largest returns of revenue. The contention has not been between schedules, but between principles, and it would be offensive to suggest that the prevailing party will not carry into legislation the principles advocated by it and the pledges given to the people. The tariff bills passed by the House of Representatives at the last session were, as I suppose—even in the opinion of their promoters—inadequate, and justified only by the fact that the Senate and House of Representatives were not in accord and that a general revision could not, therefore, be undertaken.

I recommend that the whole subject of tariff revision be left to the incoming Congress. It is matter of regret that this work must be delayed for at least three months; for the threat of great tariff changes introduces so much uncertainty that an amount, not easily

estimated, of business inaction and of diminished production will necessarily result. It is possible also that this uncertainty may result in decreased revenues from customs duties, for our merchants will make cautious orders for foreign goods in view of the prospect of tariff reductions and the uncertainty as to when they will take effect. Those who have advocated a protective tariff can well afford to have their disastrous forecasts of a change of policy disappointed. If a system of customs duties can be framed that will set the idle wheels and looms of Europe in motion and crowd our warehouses with foreign-made goods, and at the same time keep our own mills busy; that will give us an increased participation in the "markets of the world" of greater value than the home market we surrender; that will give increased work to foreign workmen upon products to be consumed by our people without diminishing the amount of work to be done here; that will enable the American manufacturer to pay to his workmen from 50 to 100 per cent more in wages than is paid in the foreign mill and yet to compete in our market and in foreign markets with the foreign producer; that will further reduce the cost of articles of wear and food without reducing the wages of those who produce them; that can be celebrated, after its effects have been realized, as its expectation has been, in European as well as in American cities, the authors and promoters of it will be entitled to the highest praise. We have had in our history several experiences of the contrasted effects of a revenue and of a protective tariff; but this generation has not felt them, and the experience of one generation is not highly instructive to the next. The friends of the protective system, with undiminished confidence in the principles they have advocated, will await the results of the new experiment.

The strained and too often disturbed relations existing between the employés and the employers in our great manufacturing establishments have not been favorable to a calm consideration by the wage-earner of the effect upon wages of the protective system. The facts that his wages were the highest paid in like callings in the world and that a maintenance of this rate of wages, in the absence of protective duties upon the product of his labor, was impossible, were obscured by the passion evoked by these contests. He may now be able to review the question in the light of his personal experience under the operation of a tariff for revenue only. If that experience shall demonstrate that present rates of wages are thereby maintained or increased, either absolutely or in their purchasing power, and that the aggregate volume of work to be done in this country is increased, or even maintained, so that there

are more or as many days' work in a year at as good or better wages for the American workman as has been the case under the protective system, everyone will rejoice. A general process of wage reduction can not be contemplated by any patriotic citizen without the gravest apprehension. It may be, indeed I believe is, possible for the American manufacturer to compete successfully with his foreign rival in many branches of production without the defense of protective duties, if the pay rolls are equalized; but the conflict that stands between the producer and that result and the distress of our working people when it is attained are not pleasant to contemplate. The Society of the Unemployed, now holding its frequent and threatening parades in the streets of foreign cities, should not be allowed to acquire an American domicile.

The reports of the heads of the several Executive Departments, which are herewith submitted, have very naturally included a résumé of the whole work of the administration with the transactions of the last fiscal year. The attention not only of Congress but of the country is again invited to the methods of administration which have been pursued and to the results which have been attained. Public revenues amounting to \$1,414,079,292.28 have been collected and disbursed without loss from misappropriation, without a single defalcation of such importance as to attract the public attention, and at a diminished per cent of cost for collection. The public business has been transacted not only with fidelity, but progressively, and with a view to giving to the people in the fullest possible degree the benefits of a service established and maintained for their protection and comfort.

Our relations with other nations are now undisturbed by any serious controversy. The complicated and threatening differences with Germany and England relating to Samoan affairs, with England in relation to the seal fisheries in the Bering Sea, and with Chile growing out of the *Baltimore* affair have been adjusted.

There have been negotiated and concluded, under section 3 of the tariff law, commercial agreements relating to reciprocal trade with the following countries: Brazil, Dominican Republic, Spain for Cuba and Puerto Rico, Guatemala, Salvador, the German Empire, Great Britain for certain West Indian Colonies and British Guiana, Nicaragua, Honduras, and Austria-Hungary.

Of these, those with Guatemala, Salvador, the German Empire, Great Britain, Nicaragua, Honduras, and Austria-Hungary have been concluded since my last annual message. Under these trade arrangements a free or favored admission has been secured in every case for an important list of American products. Especial care has

been taken to secure markets for farm products in order to relieve that great underlying industry of the depression which the lack of an adequate foreign market for our surplus often brings. An opening has also been made for manufactured products that will undoubtedly, if this policy is maintained, greatly augment our export trade. The full benefits of these arrangements can not be realized instantly. New lines of trade are to be opened. The commercial traveler must survey the field. The manufacturer must adapt his goods to the new markets and facilities for exchange must be established. This work has been well begun, our merchants and manufacturers having entered the new fields with courage and enterprise. In the case of food products, and especially with Cuba, the trade did not need to wait and the immediate results have been most gratifying. If this policy and these trade arrangements can be continued in force and aided by the establishment of American steamship lines, I do not doubt that we shall, within a short period, secure fully one-third of the total trade of the countries of Central and South America, which now amounts to about \$600,000,000 annually. In 1885 we had only 8 per cent of this trade.

The following statistics show the increase in our trade with the countries with which we have reciprocal trade agreements from the date when such agreements went into effect up to September 30, 1892, the increase being in some almost wholly and in others in an important degree the result of these agreements.

The domestic exports to Germany and Austria-Hungary have increased in value from \$47,673,756 to \$57,993,064, an increase of \$10,319,308, or 21.63 per cent. With American countries the value of our exports has increased from \$44,160,285 to \$54,613,598, an increase of \$10,453,313, or 23.67 per cent. The total increase in the value of exports to all the countries with which we have reciprocity agreements has been \$20,772,621. This increase is chiefly in wheat, flour, meat, and dairy products, and in manufactures of iron and steel and lumber. There has been a large increase in the value of imports from all these countries since the commercial agreements went into effect, amounting to \$74,294,525, but it has been entirely in imports from the American countries, consisting mostly of sugar, coffee, india rubber, and crude drugs. The alarmed attention of our European competitors for the South American market has been attracted to this new American policy and to our acquisition and their loss of South American trade.

A treaty providing for the arbitration of the dispute between Great Britain and the United States as to the killing of seals in the Bering Sea was concluded on the 29th of February last. This treaty was

accompanied by an agreement prohibiting pelagic sealing pending the arbitration, and a vigorous effort was made during this season to drive out all poaching sealers from the Bering Sea. Six naval vessels, three revenue cutters, and one vessel from the Fish Commission, all under the command of Commander Evans, of the Navy, were sent into the sea, which was systematically patrolled. Some seizures were made, and it is believed that the catch in the Bering Sea by poachers amounted to less than 500 seals. It is true, however, that in the North Pacific, while the seal herds were on their way to the passes between the Aleutian Islands, a very large number, probably 35,000, were taken. The existing statutes of the United States do not restrain our citizens from taking seals in the Pacific Ocean, and perhaps should not, unless the prohibition can be extended to the citizens of other nations. I recommend that power be given to the President, by proclamation, to prohibit the taking of seals in the North Pacific by American vessels, in case either as the result of the findings of the tribunal of arbitration, or otherwise, the restraints can be applied to the vessels of all countries. The case of the United States for the tribunal of arbitration has been prepared with great care and industry by the Hon. John W. Foster, and the counsel who represent this Government express confidence that a result substantially establishing our claims and preserving this great industry for the benefit of all nations will be attained.

During the past year, a suggestion was received through the British minister that the Canadian Government would like to confer as to the possibility of enlarging, upon terms of mutual advantage, the commercial exchanges of Canada and of the United States, and a conference was held at Washington, with Mr. Blaine acting for this Government, and the British minister at this capital and three members of the Dominion cabinet acting as commissioners on the part of Great Britain. The conference developed the fact that the Canadian Government was only prepared to offer to the United States, in exchange for the concessions asked, the admission of natural products. The statement was frankly made that favored rates could not be given to the United States as against the mother country. This admission, which was foreseen, necessarily terminated the conference upon this question. The benefits of an exchange of natural products would be almost wholly with the people of Canada. Some other topics of interest were considered in the conference, and have resulted in the making of a convention for examining the Alaskan boundary and the waters of Passamaquoddy Bay adjacent to Eastport, Me., and in the initiation of an arrangement for the pro-



tection of fish life in the coterminous and neighboring waters of our northern border.

The controversy as to tolls upon the Welland Canal, which was presented to Congress at the last session by special message, having failed of adjustment, I felt constrained to exercise the authority conferred by the act of July 26, 1892, and to proclaim a suspension of the free use of St. Marys Falls Canal to cargoes in transit to ports in Canada. The Secretary of the Treasury established such tolls as were thought to be equivalent to the exactions unjustly levied upon our commerce in the Canadian canals.

If, as we must suppose, the political relations of Canada and the disposition of the Canadian Government are to remain unchanged, a somewhat radical revision of our trade relations should, I think, be made. Our relations must continue to be intimate, and they should be friendly. I regret to say, however, that in many of the controversies, notably those as to the fisheries on the Atlantic, the sealing interests on the Pacific, and the canal tolls, our negotiations with Great Britain have continuously been thwarted or retarded by unreasonable and unfriendly objections and protests from Canada. In the matter of the canal tolls, our treaty rights were flagrantly disregarded. It is hardly too much to say that the Canadian Pacific and other railway lines which parallel our northern boundary are sustained by commerce having either its origin or terminus, or both, in the United States. Canadian railroads compete with those of the United States for our traffic, and without the restraints of our interstate-commerce act. Their cars pass almost without detention into and out of our territory.

The Canadian Pacific Railway brought into the United States from China and Japan, via British Columbia, during the year ended June 30, 1892, 23,239,689 pounds of freight, and it carried from the United States to be shipped to China and Japan, via British Columbia, 24,068,346 pounds of freight. There were also shipped from the United States over this road from eastern ports of the United States to our Pacific ports, during the same year, 13,912,073 pounds of freight, and there were received over this road at the United States eastern ports from ports on the Pacific coast 13,293,315 pounds of freight. Mr. Joseph Nimmo, jr., former Chief of the Bureau of Statistics, when before the Senate Select Committee on Relations with Canada, April 26, 1890, said that "the value of goods thus transported between different points in the United States across Canadian territory probably amounts to \$100,000,000 a year."

There is no disposition on the part of the people or Government of the United States to interfere in the smallest degree with the

political relations of Canada. That question is wholly with her own people. It is time for us, however, to consider whether, if the present state of things and trend of things is to continue, our interchanges upon lines of land transportation should not be put upon a different basis, and our entire independence of Canadian canals and of the St. Lawrence as an outlet to the sea secured by the construction of an American canal around the Falls of Niagara and the opening of ship communication between the Great Lakes and one of our own seaports. We should not hesitate to avail ourselves of our great natural trade advantages. We should withdraw the support which is given to the railroads and steamship lines of Canada by a traffic that properly belongs to us, and no longer furnish the earnings which lighten the otherwise crushing weight of the enormous public subsidies that have been given to them. The subject of the power of the Treasury to deal with this matter without further legislation has been under consideration, but circumstances have postponed a conclusion. It is probable that a consideration of the propriety of a modification or abrogation of the article of the Treaty of Washington relating to the transit of goods in bond is involved in any complete solution of the question.

Congress at the last session was kept advised of the progress of the serious and for a time threatening differences between the United States and Chile. It gives me now great gratification to report that the Chilean Government, in a most friendly and honorable spirit, has tendered and paid as an indemnity to the families of the sailors of the *Baltimore* who were killed and to those who were injured in the outbreak in the city of Valparaiso the sum of \$75,000. This has been accepted, not only as an indemnity for a wrong done, but as a most gratifying evidence that the Government of Chile rightly appreciates the disposition of this Government to act in a spirit of the most absolute fairness and friendliness in our intercourse with that brave people. A further and conclusive evidence of the mutual respect and confidence now existing is furnished by the fact that a convention submitting to arbitration the mutual claims of the citizens of the respective Governments has been agreed upon. Some of these claims have been pending for many years and have been the occasion of much unsatisfactory diplomatic correspondence.

I have endeavored in every way to assure our sister republics of Central and South America that the United States Government and its people have only the most friendly disposition toward them all. We do not covet their territory. We have no disposition to be oppressive or exacting in our dealings with any of them, even the weakest. Our interests and our hopes for them all lie in the direc-

tion of stable governments by their people and of the largest development of their great commercial resources. The mutual benefits of enlarged commercial exchanges and of a more familiar and friendly intercourse between our peoples we do desire, and in this have sought their friendly coöperation.

I have believed, however, while holding these sentiments in the greatest sincerity, that we must insist upon a just responsibility for any injuries inflicted upon our official representatives or upon our citizens. This insistence, kindly and justly, but firmly made, will, I believe, promote peace and mutual respect.

Our relations with Hawaii have been such as to attract an increased interest, and must continue to do so. I deem it of great importance that the projected submarine cable, a survey for which has been made, should be promoted. Both for naval and commercial uses we should have quick communication with Honolulu. We should before this have availed ourselves of the concession, made many years ago to this Government, for a harbor and naval station at Pearl River. Many evidences of the friendliness of the Hawaiian Government have been given in the past, and it is gratifying to believe that the advantage and necessity of a continuance of very close relations is appreciated.

The friendly act of this Government in expressing to the Government of Italy its reprobation and abhorrence of the lynching of Italian subjects in New Orleans, by the payment of 125,000 francs, or \$24,330.90, was accepted by the King of Italy with every manifestation of gracious appreciation, and the incident has been highly promotive of mutual respect and good will.

In consequence of the action of the French Government in proclaiming a protectorate over certain tribal districts of the west coast of Africa, eastward of the San Pedro River, which has long been regarded as the southeastern boundary of Liberia, I have felt constrained to make protest against this encroachment upon the territory of a Republic which was founded by citizens of the United States and toward which this country has for many years held the intimate relation of a friendly counselor.

The recent disturbances of the public peace by lawless foreign marauders on the Mexican frontier have afforded this Government an opportunity to testify its good will for Mexico and its earnest purpose to fulfill the obligations of international friendship by pursuing and dispersing the evil-doers. The work of relocating the boundary of the treaty of Guadalupe Hidalgo, westward from El Paso, is progressing favorably.

Our intercourse with Spain continues on a friendly footing. I

regret, however, not to be able to report as yet the adjustment of the claims of the American missionaries arising from the disorders at Ponape, in the Caroline Islands, but I anticipate a satisfactory adjustment in view of renewed and urgent representations to the Government at Madrid.

The treatment of the religious and educational establishments of American citizens in Turkey has of late called for a more than usual share of attention. A tendency to curtail the toleration which has so beneficially prevailed is discernible and has called forth the earnest remonstrances of this Government. Harassing regulations in regard to schools and churches have been attempted in certain localities, but not without due protest and the assertion of the inherent and conventional rights of our countrymen. Violations of domicile and search of the persons and effects of citizens of the United States by apparently irresponsible officials in the Asiatic vilayets have from time to time been reported. An aggravated instance of injury to the property of an American missionary at Bourdour, in the province of Konia, called forth an urgent claim for reparation, which I am pleased to say was promptly heeded by the government of the Porte. Interference with the trading ventures of our citizens in Asia Minor is also reported, and the lack of consular representation in that region is a serious drawback to instant and effective protection. I can not believe that these incidents represent a settled policy, and shall not cease to urge the adoption of proper remedies.

International copyright has been extended to Italy by proclamation in conformity with the act of March 3, 1891, upon assurance being given that Italian law permits to citizens of the United States the benefit of copyright on substantially the same basis as to subjects of Italy. By a special convention, proclaimed January 15, 1892, reciprocal provisions of copyright have been applied between the United States and Germany. Negotiations are in progress with other countries to the same end.

I repeat with great earnestness the recommendation which I have made in several previous messages that prompt and adequate support be given to the American company engaged in the construction of the Nicaragua Ship Canal. It is impossible to overstate the value from every standpoint of this great enterprise, and I hope that there may be time, even in this Congress, to give to it an impetus that will insure the early completion of the canal and secure to the United States its proper relation to it when completed.

The Congress has been already advised that the invitations of this Government for the assembling of an International Monetary

Conference to consider the question of an enlarged use of silver were accepted by the nations to which they were addressed. The conference assembled at Brussels on the 22d of November and has entered upon the consideration of this great question. I have not doubted, and have taken occasion to express that belief, as well in the invitations issued for this conference as in my public messages, that the free coinage of silver upon an agreed international ratio would greatly promote the interests of our people and equally those of other nations. It is too early to predict what results may be accomplished by the conference. If any temporary check or delay intervenes, I believe that very soon commercial conditions will compel the now reluctant governments to unite with us in this movement to secure the enlargement of the volume of coined money needed for the transaction of the business of the world.

The report of the Secretary of the Treasury will attract especial interest in view of the many misleading statements that have been made as to the state of the public revenues. Three preliminary facts should not only be stated, but emphasized, before looking into details: First, that the public debt has been reduced since March 4, 1889, \$259,074,200, and the annual interest charge \$11,684,469; second, that there have been paid out for pensions during this administration up to November 1, 1892, \$432,564,178.70, an excess of \$114,466,386.09 over the sum expended during the period from March 1, 1885, to March 1, 1889; and, third, that under the existing tariff up to December 1 about \$93,000,000 of revenue, which would have been collected upon imported sugars if the duty had been maintained, has gone into the pockets of the people and not into the public treasury, as before. If there are any who still think that the surplus should have been kept out of circulation by hoarding it in the Treasury, or deposited in favored banks without interest while the Government continued to pay to these very banks interest upon the bonds deposited as security for the deposits, or who think that the extended pension legislation was a public robbery, or that the duties upon sugar should have been maintained, I am content to leave the argument where it now rests, while we wait to see whether these criticisms will take the form of legislation.

The revenues for the fiscal year ending June 30, 1892, from all sources, were \$425,868,260.22, and the expenditures for all purposes were \$415,953,806.56, leaving a balance of \$9,914,453.66. There were paid during the year upon the public debt \$40,570,467.98. The surplus in the Treasury and the bank redemption fund, passed by the act of July 14, 1890, to the general fund, furnished in large part the cash available and used for the payments made upon the

public debt. Compared with the year 1891, our receipts from customs duties fell off \$42,069,241.08, while our receipts from internal revenue increased \$8,284,823.13, leaving the net loss of revenue from these principal sources \$33,784,417.95. The net loss of revenue from all sources was \$32,675,972.81.

The revenues, estimated and actual, for the fiscal year ending June 30, 1893, are placed by the Secretary at \$463,336,350.44 and the expenditures at \$461,336,350.44, showing a surplus of receipts over expenditures of \$2,000,000. The cash balance in the Treasury at the end of the fiscal year it is estimated will be \$20,992,377.03.

So far as these figures are based upon estimates of receipts and expenditures for the remaining months of the current fiscal year, there are not only the usual elements of uncertainty, but some added elements. New revenue legislation, or even the expectation of it, may seriously reduce the public revenues during the period of uncertainty and during the process of business adjustment to the new conditions when they become known. But the Secretary has very wisely refrained from guessing as to the effect of possible changes in our revenue laws, since the scope of those changes and the time of their taking effect can not in any degree be forecast or foretold by him. His estimates must be based upon existing laws and upon a continuance of existing business conditions, except so far as these conditions may be affected by causes other than new legislation.

The estimated receipts for the fiscal year ending June 30, 1894, are \$490,121,365.38, and the estimated appropriations \$457,261,335.33, leaving an estimated surplus of receipts over expenditures of \$32,860,030.05. This does not include any payment to the sinking fund. In the recommendation of the Secretary that the sinking-fund law be repealed I concur. The redemption of bonds since the passage of the law to June 30, 1892, has already exceeded the requirements by the sum of \$990,510,681.49. The retirement of bonds in the future before maturity should be a matter of convenience, not of compulsion. We should not collect revenue for that purpose, but only use any casual surplus. To the balance of \$32,860,030.05 of receipts over expenditures for the year 1894 should be added the estimated surplus at the beginning of the year, \$20,992,377.03; and from this aggregate there must be deducted, as stated by the Secretary, about \$44,000,000 of estimated unexpended appropriations.

The public confidence in the purpose and ability of the Government to maintain the parity of all of our money issues, whether coin or paper, must remain unshaken. The demand for gold in

Europe and the consequent calls upon us are in a considerable degree the result of the efforts of some of the European governments to increase their gold reserves, and these efforts should be met by appropriate legislation on our part. The conditions that have created this drain of the Treasury gold are in an important degree political and not commercial. In view of the fact that a general revision of our revenue laws in the near future seems to be probable, it would be better that any changes should be a part of that revision rather than of a temporary nature.

During the last fiscal year the Secretary purchased under the act of July 14, 1890, 54,355,748 ounces of silver, and issued in payment therefor \$51,106,608 in notes. The total purchases since the passage of the act have been 120,479,981 ounces, and the aggregate of notes issued \$116,783,590. The average price paid for silver during the year was 94 cents per ounce, the highest price being \$1.02 $\frac{3}{4}$  July 1, 1891, and the lowest 83 cents March 21, 1892. In view of the fact that the monetary conference is now sitting and that no conclusion has yet been reached, I withhold any recommendation as to legislation upon this subject.

The report of the Secretary of War brings again to the attention of Congress some important suggestions as to the reorganization of the infantry and artillery arms of the service, which his predecessors have before urgently presented. Our Army is small, but its organization should all the more be put upon the most approved modern basis. The conditions upon what we have called the "frontier" have heretofore required the maintenance of many small posts, but now the policy of concentration is obviously the right one. The new posts should have the proper strategic relations to the only "frontiers" we now have, those of the seacoast and of our northern and part of our southern boundary. I do not think that any question of advantage to localities or to States should determine the location of the new posts. The reorganization and enlargement of the Bureau of Military Information which the Secretary has effected is a work the usefulness of which will become every year more apparent. The work of building heavy guns and the construction of coast defenses has been well begun and should be carried on without check.

The report of the Attorney-General is by law submitted directly to Congress, but I can not refrain from saying that he has conducted the increasing work of the Department of Justice with great professional skill. He has in several directions secured from the courts decisions giving increased protection to the officers of the United States and bringing some classes of crime that escaped local cogni-

zance and punishment into the tribunals of the United States, where they could be tried with impartiality.

The numerous applications for Executive clemency presented in behalf of persons convicted in United States courts and given penitentiary sentences have called my attention to a fact referred to by the Attorney-General in his report, namely, that a time allowance for good behavior for such prisoners is prescribed by the Federal statutes only where the State in which the penitentiary is located has made no such provision. Prisoners are given the benefit of the provisions of the State law regulating the penitentiary to which they may be sent. These are various, some perhaps too liberal and some perhaps too illiberal. The result is that a sentence for five years means one thing if the prisoner is sent to one State for confinement and quite a different thing if he is sent to another. I recommend that a uniform credit for good behavior be prescribed by Congress.

I have before expressed my concurrence in the recommendation of the Attorney-General that degrees of murder should be recognized in the Federal statutes as they are, I believe, in all the States. These grades are founded on correct distinctions in crime. The recognition of them would enable the courts to exercise some discretion in apportioning punishment, and would greatly relieve the Executive of what is coming to be a very heavy burden—the examination of these cases on application for commutation.

The aggregate of claims pending against the Government in the Court of Claims is enormous. Claims to the amount of nearly \$400,000,000 for the taking of or injury to the property of persons claiming to be loyal during the war are now before that court for examination. When to these are added the Indian depredation claims and the French spoliation claims an aggregate is reached that is indeed startling. In the defense of all these cases the Government is at great disadvantage. The claimants have preserved their evidence, whereas the agents of the Government are sent into the field to rummage for what they can find. This difficulty is peculiarly great where the fact to be established is the disloyalty of the claimant during the war. If this great threat against our revenues is to have no other check certainly Congress should supply the Department of Justice with appropriations sufficiently liberal to secure the best legal talent in the defense of these claims and to pursue its vague search for evidence effectively.

The report of the Postmaster-General shows a most gratifying increase and a most efficient and progressive management of the great business of that Department. The remarkable increase in



revenues, in the number of post-offices, and in the miles of mail carriage furnishes further evidence of the high state of prosperity which our people are enjoying. New offices mean new hamlets and towns, new routes mean the extension of our border settlements, and increased revenues mean an active commerce. The Postmaster-General reviews the whole period of his administration of the office and brings some of his statistics down to the month of November last. The postal revenues have increased during the last year nearly \$5,000,000. The deficit for the year ending June 30, 1892, is \$848,341 less than the deficiency of the preceding year. The deficiency of the present fiscal year it is estimated will be reduced to \$1,552,423, which will not only be extinguished during the next fiscal year, but a surplus of nearly \$1,000,000 should then be shown. In these calculations the payments to be made under the contracts for ocean mail service have not been included. There have been added 1,590 new mail routes during the year, with a mileage of 8,563 miles; and the total number of new miles of mail trips added during the year is nearly 17,000,000. The number of miles of mail journeys added during the last four years is about 76,000,000, this addition being 21,000,000 of miles more than were in operation in the whole country in 1861.

The number of post-offices has been increased by 2,790 during the year, and during the past four years and up to October 29 last the total increase in the number of offices has been nearly 9,000. The number of free-delivery offices has been nearly doubled in the last four years, and the number of money-order offices more than doubled within that time.

For the three years ending June 30, 1892, the postal revenue amounted to \$197,744,359, which was an increase of \$52,263,150 over the revenue for the three years ending June 30, 1888, the increase during the last three years being more than three and a half times as great as the increase during the three years ending June 30, 1888. No such increase as that shown for these three years has ever previously appeared in the revenues of the Department. The Postmaster-General has extended to the post-offices in the larger cities the merit system of promotion, introduced by my direction into the Departments here, and it has resulted there, as in the Departments, in a larger volume of work and that better done.

Ever since our merchant marine was driven from the sea by the rebel cruisers during the war of the rebellion the United States has been paying an enormous annual tribute to foreign countries in the shape of freight and passage moneys. Our grain and meats have been taken at our own docks and our large imports there laid down

by foreign shipmasters. An increasing torrent of American travel to Europe has contributed a vast sum annually to the dividends of foreign shipowners. The balance of trade shown by the books of our custom-houses has been very largely reduced and in many years altogether extinguished by this constant drain. In the year 1892 only 12.3 per cent of our imports were brought in American vessels. These great foreign steamships maintained by our traffic are many of them under contracts with their respective governments by which in time of war they will become a part of their armed naval establishments. Profiting by our commerce in peace, they will become the most formidable destroyers of our commerce in time of war. I have felt and have before expressed the feeling that this condition of things was both intolerable and disgraceful. A wholesome change of policy and one having in it much promise, as it seems to me, was begun by the law of March 3, 1891. Under this law contracts have been made by the Postmaster-General for eleven mail routes. The expenditure involved by these contracts for the next fiscal year approximates \$954,123.33. As one of the results already reached 16 American steamships of an aggregate tonnage of 57,400 tons, costing \$7,400,000, have been built or contracted to be built in American shipyards.

The estimated tonnage of all steamships required under existing contracts is 165,802, and when the full service required by these contracts is established there will be forty-one mail steamers under the American flag, with the probability of further necessary additions in the Brazilian and Argentine service. The contracts recently let for transatlantic service will result in the construction of five ships of 10,000 tons each, costing \$9,000,000 or \$10,000,000, and will add, with the *City of New York* and *City of Paris*, to which the Treasury Department was authorized by legislation at the last session to give American registry, seven of the swiftest vessels upon the sea to our naval reserve. The contracts made with the lines sailing to Central and South American ports have increased the frequency and shortened the time of the trips, added new ports of call, and sustained some lines that otherwise would almost certainly have been withdrawn. The service to Buenos Ayres is the first to the Argentine Republic under the American flag. The service to Southampton, Boulogne, and Antwerp is also new, and is to be begun with the steamships *City of New York* and *City of Paris* in February next.

I earnestly urge a continuance of the policy inaugurated by this legislation and that the appropriations required to meet the obligations of the Government under the contracts may be made promptly,

so that the lines that have entered into these engagements may not be embarrassed. We have had, by reason of connections with the transcontinental railway lines constructed through our own territory, some advantages in the ocean trade of the Pacific that we did not possess on the Atlantic. The construction of the Canadian Pacific Railway and the establishment under large subventions from Canada and England of fast steamship service from Vancouver with Japan and China seriously threaten our shipping interests in the Pacific. This line of English steamers receives, as is stated by the Commissioner of Navigation, a direct subsidy of \$400,000 annually, or \$30,767 per trip for thirteen voyages, in addition to some further aid from the admiralty in connection with contracts under which the vessels may be used for naval purposes. The competing American Pacific mail line, under the act of March 3, 1891, receives only \$6,389 per round trip.

Efforts have been making within the last year, as I am informed, to establish under similar conditions a line between Vancouver and some Australian port, with a view of seizing there a trade in which we have had a large interest. The Commissioner of Navigation states that a very large per cent of our imports from Asia are now brought to us by English steamships and their connecting railways in Canada. With a view of promoting this trade, especially in tea, Canada has imposed a discriminating duty of 10 per cent upon tea and coffee brought into the Dominion from the United States. If this unequal contest between American lines without subsidy, or with diminished subsidies, and the English Canadian line to which I have referred is to continue, I think we should at least see that the facilities for customs entry and transportation across our territory are not such as to make the Canadian route a favored one, and that the discrimination as to duties, to which I have referred, is met by a like discrimination as to the importation of these articles from Canada.

No subject, I think, more nearly touches the pride, the power, and the prosperity of our country than this of the development of our merchant marine upon the sea. If we could enter into conference with other competitors and all would agree to withhold Government aid we could perhaps take our chances with the rest, but our great competitors have established and maintained their lines by Government subsidies until they now have practically excluded us from participation. In my opinion no choice is left to us but to pursue, moderately at least, the same lines.

The report of the Secretary of the Navy exhibits great progress in the construction of our new Navy. When the present Secretary

entered upon his duties only 3 modern steel vessels were in commission. The vessels since put in commission and to be put in commission during the winter will make a total of 19 during his administration of the Department. During the current year 10 war vessels and 3 navy tugs have been launched, and during the four years 25 vessels will have been launched. Two other large ships and a torpedo boat are under contract and the work upon them well advanced, and the 4 monitors are awaiting only the arrival of their armor, which has been unexpectedly delayed, or they would have been before this in commission.

Contracts have been let during this administration, under the appropriations for the increase of the Navy, including new vessels and their appurtenances, to the amount of \$35,000,000, and there has been expended during the same period for labor at navy-yards upon similar work \$8,000,000 without the smallest scandal or charge of fraud or partiality. The enthusiasm and interest of our naval officers, both of the staff and line, have been greatly kindled. They have responded magnificently to the confidence of Congress and have demonstrated to the world an unexcelled capacity in construction, in ordnance, and in everything involved in the building, equipping, and sailing of great war ships.

At the beginning of Secretary Tracy's administration several difficult problems remained to be grappled with and solved before the efficiency in action of our ships could be secured. It is believed that as the result of new processes in the construction of armor plate our later ships will be clothed with defensive plates of higher resisting power than are found on any war vessels afloat. We were without torpedoes. Tests have been made to ascertain the relative efficiency of different constructions, a torpedo has been adopted, and the work of construction is now being carried on successfully. We were without armor-piercing shells, and without a shop instructed and equipped for the construction of them. We are now making what is believed to be a projectile superior to any before in use. A smokeless powder has been developed, and a slow-burning powder for guns of large caliber. A high explosive, capable of use in shells fired from service guns, has been found, and the manufacture of gun cotton has been developed so that the question of supply is no longer in doubt.

The development of a naval militia, which has been organized in eight States and brought into cordial and coöperative relations with the Navy, is another important achievement. There are now enlisted in these organizations 1,800 men, and they are likely to be greatly extended. I recommend such legislation and appropriations

as will encourage and develop this movement. The recommendations of the Secretary will, I do not doubt, receive the friendly consideration of Congress, for he has enjoyed, as he has deserved, the confidence of all those interested in the development of our Navy, without any division upon partisan lines. I earnestly express the hope that a work which has made such noble progress may not now be stayed. The wholesome influence for peace and the increased sense of security which our citizens domiciled in other lands feel when these magnificent ships under the American flag appear is already most gratefully apparent. The ships from our Navy which will appear in the great naval parade next April in the harbor of New York will be a convincing demonstration to the world that the United States is again a naval power.

The work of the Interior Department, always very burdensome, has been larger than ever before during the administration of Secretary Noble. The disability pension law, the taking of the Eleventh Census, the opening of vast areas of Indian lands to settlement, the organization of Oklahoma, and the negotiations for the cession of Indian lands furnish some of the particulars of the increased work; and the results achieved testify to the ability, fidelity, and industry of the head of the Department and his efficient assistants.

Several important agreements for the cession of Indian lands negotiated by the Commission appointed under the act of March 2, 1889, are awaiting the action of Congress. Perhaps the most important of these is that for the cession of the Cherokee Strip. This region has been the source of great vexation to the Executive Department and of great friction and unrest between the settlers who desire to occupy it and the Indians who assert title. The agreement which has been made by the Commission is perhaps the most satisfactory that could have been reached. It will be noticed that it is conditioned upon its ratification by Congress before March 4, 1893. The Secretary of the Interior, who has given the subject very careful thought, recommends the ratification of the agreement, and I am inclined to follow his recommendation. Certain it is that some action by which this controversy shall be brought to an end and these lands opened to settlement is urgent.

The form of government provided by Congress on May 17, 1884, for Alaska was, in its frame and purpose, temporary. The increase of population and the development of some important mining and commercial interests make it imperative that the law should be revised and better provision made for the arrest and punishment of criminals.

The report of the Secretary shows a very gratifying state of

facts as to the condition of the General Land Office. The work of issuing agricultural patents, which seemed to be hopelessly in arrear when the present Secretary undertook the duties of his office, has been so expedited that the Bureau is now upon current business. The relief thus afforded to honest and worthy settlers upon the public lands, by giving to them an assured title to their entries, has been of incalculable benefit in developing the new States and the Territories.

The Court of Private Land Claims, established by Congress for the promotion of this policy of speedily settling contested land titles is making satisfactory progress in its work, and when the work is completed a great impetus will be given to the development of those regions where unsettled claims under Mexican grants have so long exercised their repressive influence. When to these results are added the enormous cessions of Indian lands which have been opened to settlement, aggregating during this administration nearly 26,000,000 acres, and the agreements negotiated and now pending in Congress for ratification by which about 10,000,000 additional acres will be opened to settlement, it will be seen how much has been accomplished.

The work in the Indian Bureau, in the execution of the policy of recent legislation, has been largely directed to two chief purposes: First, the allotment of lands in severalty to the Indians and the cession to the United States of the surplus lands; and, secondly, to the work of educating the Indian for his own protection in his closer contact with the white man and for the intelligent exercise of his new citizenship. Allotments have been made and patents issued to 5,900 Indians under the present Secretary and Commissioner, and 7,600 additional allotments have been made for which patents are now in process of preparation. The school attendance of Indian children has been increased during that time over 13 per cent, the enrollment for 1892 being nearly 20,000. A uniform system of school text-books and of study has been adopted and the work in these national schools brought as near as may be to the basis of the free common schools of the States. These schools can be transferred and merged into the common-school systems of the States when the Indian has fully assumed his new relation to the organized civil community in which he resides, and the new States are able to assume the burden.

I have several times been called upon to remove Indian agents appointed by me, and have done so promptly upon every sustained complaint of unfitness or misconduct. I believe, however, that the Indian service at the agencies has been improved and is now

administered on the whole with a good degree of efficiency. If any legislation is possible by which the selection of Indian agents can be wholly removed from all partisan suggestions or considerations, I am sure it would be a great relief to the Executive and a great benefit to the service. The appropriation for the subsistence of the Cheyenne and Arapahoe Indians made at the last session of Congress was inadequate. This smaller appropriation was estimated for by the Commissioner upon the theory that the large fund belonging to the tribe in the public Treasury could be and ought to be used for their support. In view, however, of the pending depredation claims against this fund and other considerations, the Secretary of the Interior on the 12th of April last submitted a supplemental estimate for \$50,000. This appropriation was not made, as it should have been, and the oversight ought to be remedied at the earliest possible date.

In a special message to this Congress at the last session I stated the reasons why I had not approved the deed for the release to the United States by the Choctaws and Chickasaws of the lands formerly embraced in the Cheyenne and Arapahoe Reservation and remaining after allotments to that tribe. A resolution of the Senate expressing the opinion of that body that, notwithstanding the facts stated in my special message, the deed should be approved and the money, \$2,991,450, paid over, was presented to me May 10, 1892. My special message was intended to call the attention of Congress to the subject, and in view of the fact that it is conceded that the appropriation proceeded upon a false basis as to the amount of lands to be paid for, and is by \$50,000 in excess of the amount they are entitled to (even if their claim to the land is given full recognition at the rate agreed upon), I have not felt willing to approve the deed, and shall not do so, at least until both Houses of Congress have acted upon the subject. It has been informally proposed by the claimants to release this sum of \$50,000, but I have no power to demand or accept such a release, and such an agreement would be without consideration and void.

I desire further to call the attention of Congress to the fact that the recent agreement concluded with the Kiowas and Comanches relates to lands which were a part of the "leased district," and to which the claim of the Choctaws and Chickasaws is precisely that recognized by Congress in the legislation I have referred to. The surplus lands to which this claim would attach in the Kiowa and Comanche Reservation is 2,500,000 acres, and at the same rate the Government will be called upon to pay to the Choctaws and Chickasaws for these lands \$3,125,000. This sum will be further

augmented, especially if the title of the Indians to the tract now Grier County, Tex., is established. The duty devolved upon me in this connection was simply to pass upon the form of the deed; but as in my opinion the facts mentioned in my special message were not adequately brought to the attention of Congress in connection with the legislation, I have felt that I would not be justified in acting without some new expression of the legislative will.

The report of the Commissioner of Pensions, to which extended notice is given by the Secretary of the Interior in his report, will attract great attention. Judged by the aggregate amount of work done the last year has been the greatest in the history of the Office. I believe that the organization of the Office is efficient, and that the work has been done with fidelity. The passage of what is known as the disability bill has, as was foreseen, very largely increased the annual disbursements to the disabled veterans of the civil war. The estimate for this fiscal year was \$144,956,000, and that amount was appropriated. A deficiency amounting to \$10,508,621 must be provided for at this session. The estimate for pensions for the fiscal year ending June 30, 1894, is \$165,000,000. The Commissioner of Pensions believes that, if the present legislation and methods are maintained and further additions to the pension laws are not made, the maximum expenditure for pensions will be reached June 30, 1894, and will be at the highest point \$188,000,000 per annum.

I adhere to the views expressed in previous messages that the care of the disabled soldiers of the war of the rebellion is a matter of national concern and duty. Perhaps no emotion cools sooner than that of gratitude, but I can not believe that this process has yet reached a point with our people that would sustain the policy of remitting the care of these disabled veterans to the inadequate agencies provided by local laws. The parade on the 20th of September last, upon the streets of this capital, of 60,000 of the surviving Union veterans of the war of the rebellion was a most touching and thrilling episode, and the rich and gracious welcome extended to them by the District of Columbia and the applause that greeted their progress from tens of thousands of people from all the States did much to revive the glorious recollections of the grand review, when these men and many thousand others now in their graves were welcomed with grateful joy as victors in a struggle in which the national unity, honor, and wealth were all at issue.

In my last annual message I called attention to the fact that some legislative action was necessary in order to protect the interests of the Government in its relations with the Union Pacific Railway.



The Commissioner of Railroads has submitted a very full report, giving exact information as to the debt, the liens upon the company's property, and its resources. We must deal with the question as we find it, and take that course which will, under existing conditions, best secure the interests of the United States. I recommended in my last annual message that a commission be appointed to deal with this question, and I renew that recommendation, and suggest that the commission be given full power.

The report of the Secretary of Agriculture contains not only a most interesting statement of the progressive and valuable work done under the administration of Secretary Rusk, but many suggestions for the enlarged usefulness of this important Department. In the successful effort to break down the restrictions to the free introduction of our meat products in the countries of Europe, the Secretary has been untiring from the first, stimulating and aiding all other government officers, at home and abroad, whose official duties enabled them to participate in the work. The total trade in hog products with Europe in May, 1892, amounted to 82,000,000 pounds, against 46,900,000 in the same month of 1891; in June, 1892, the exports aggregated 85,700,000 pounds, against 46,500,000 pounds in the same month of the previous year; in July there was an increase of 41 per cent and in August of 55 per cent over the corresponding months of 1891. Over 40,000,000 pounds of inspected pork have been exported since the law was put into operation, and a comparison of the four months of May, June, July, and August, 1892, with the same months of 1891 shows an increase in the number of pounds of our export of pork products of 62 per cent, and an increase in value of 66½ per cent. The exports of dressed beef increased from 137,900,000 pounds in 1889 to 220,500,000 pounds in 1892, or about 60 per cent. During the past year there have been exported 394,607 head of live cattle as against 205,786 exported in 1889. This increased exportation has been largely promoted by the inspection authorized by law and the faithful efforts of the Secretary and his efficient subordinates to make that inspection thorough and to carefully exclude from all cargoes diseased or suspected cattle. The requirement of the English regulations that live cattle arriving from the United States must be slaughtered at the docks had its origin in the claim that pleuro-pneumonia existed among American cattle and that the existence of the disease could only certainly be determined by a post-mortem inspection.

The Department of Agriculture has labored with great energy and faithfulness to extirpate this disease; and, on the 26th day of September last, a public announcement was made by the Secretary

that the disease no longer existed anywhere within the United States. He is entirely satisfied, after the most searching inquiry, that this statement was justified, and that by a continuance of the inspection and quarantine now required of cattle brought into this country the disease can be prevented from again getting any foothold. The value to the cattle industry of the United States of this achievement can hardly be estimated. We can not, perhaps, at once insist that this evidence shall be accepted as satisfactory by other countries; but if the present exemption from the disease is maintained and the inspection of our cattle arriving at foreign ports, in which our own veterinarians participate, confirms it, we may justly expect that the requirement that our cattle shall be slaughtered at the docks will be revoked, as the sanitary restrictions upon our pork products have been. If our cattle can be taken alive to the interior the trade will be enormously increased.

Agricultural products constituted 78.1 per cent of our unprecedented exports for the fiscal year which closed June 30, 1892, the total exports being \$1,030,278,030 and the value of the agricultural products \$793,717,676, which exceeds by more than \$150,000,000 the shipment of agricultural products in any previous year.

An interesting and a promising work for the benefit of the American farmer has been begun through agents of the Agricultural Department in Europe, and consists in efforts to introduce the various products of Indian corn as articles of human food. The high price of rye offered a favorable opportunity for the experiment in Germany of combining corn meal with rye to produce a cheaper bread. A fair degree of success has been attained, and some mills for grinding corn for food have been introduced. The Secretary is of the opinion that this new use of the products of corn has already stimulated exportations, and that if diligently prosecuted large and important markets can presently be opened for this great American product.

The suggestions of the Secretary for an enlargement of the work of the Department are commended to your favorable consideration. It may, I think, be said without challenge that in no corresponding period has so much been done as during the last four years for the benefit of American agriculture.

The subject of quarantine regulations, inspection, and control was brought suddenly to my attention by the arrival at our ports in August last of vessels infected with cholera. Quarantine regulations should be uniform at all our ports. Under the Constitution they are plainly within the exclusive Federal jurisdiction when and so far as Congress shall legislate. In my opinion the whole subject

should be taken into national control, and adequate power given to the Executive to protect our people against plague invasions. On the 1st of September last I approved regulations establishing a twenty-day quarantine for all vessels bringing immigrants from foreign ports. This order will be continued in force. Some loss and suffering have resulted to passengers, but a due care for the homes of our people justifies in such cases the utmost precaution. There is danger that with the coming of spring cholera will again appear, and a liberal appropriation should be made at this session to enable our quarantine and port officers to exclude the deadly plague.

But the most careful and stringent quarantine regulations may not be sufficient absolutely to exclude the disease. The progress of medical and sanitary science has been such, however, that if approved precautions are taken at once to put all of our cities and towns in the best sanitary condition, and provision is made for isolating any sporadic cases and for a thorough disinfection, an epidemic can, I am sure, be avoided. This work appertains to local authorities, and the responsibility and the penalty will be appalling if it is neglected or unduly delayed.

We are peculiarly subject in our great ports to the spread of infectious diseases by reason of the fact that unrestricted immigration brings to us out of European cities, in the overcrowded steerages of great steamships, a large number of persons whose surroundings make them the easy victims of the plague. This consideration, as well as those affecting the political, moral, and industrial interests of our country, lead me to renew the suggestion that admission to our country and to the high privileges of its citizenship should be more restricted and more careful. We have, I think, a right and owe a duty to our own people, and especially to our working people, not only to keep out the vicious, the ignorant, the civil disturber, the pauper, and the contract laborer, but to check the too great flow of immigration now coming by further limitations.

The report of the World's Columbian Exposition has not yet been submitted. That of the board of management of the Government exhibit has been received and is herewith transmitted. The work of construction and of preparation for the opening of the Exposition in May next has progressed most satisfactorily and upon a scale of liberality and magnificence that will worthily sustain the honor of the United States.

The District of Columbia is left, by a decision of the supreme court of the District, without any law regulating the liquor traffic. An old statute of the legislature of the District, relating to the licensing of various vocations, has hitherto been treated by the

Commissioners as giving them power to grant or refuse licenses to sell intoxicating liquors, and as subjecting those who sold without license to penalties; but in May last the supreme court of the District held against this view of the powers of the Commissioners. It is of urgent importance, therefore, that Congress should supply, either by direct enactment or by conferring discretionary powers upon the Commissioners, proper limitations and restraints upon the liquor traffic in the District. The District has suffered in its reputation by many crimes of violence, a large per cent of them resulting from drunkenness and the liquor traffic. The capital of the nation should be freed from this reproach by the enactment of stringent restrictions and limitations upon the traffic.

In renewing the recommendation which I have made in three preceding annual messages that Congress should legislate for the protection of railroad employes against the dangers incident to the old and inadequate methods of braking and coupling which are still in use upon freight trains, I do so with the hope that this Congress may take action upon the subject. Statistics furnished by the Interstate Commerce Commission show that during the year ending June 30, 1891, there were 47 different styles of car couplers reported to be in use, and that during the same period there were 2,660 employes killed and 26,140 injured. Nearly 16 per cent of the deaths occurred in the coupling and uncoupling of cars, and over 36 per cent of the injuries had the same origin.

The Civil Service Commission ask for an increased appropriation for needed clerical assistance, which I think should be given. I extended the classified service March 1, 1892, to include physicians, superintendents, assistant superintendents, school teachers, and matrons in the Indian service, and have had under consideration the subject of some further extensions, but have not as yet fully determined the lines upon which extensions can most properly and usefully be made.

I have, in each of the three annual messages which it has been my duty to submit to Congress, called attention to the evils and dangers connected with our election methods and practices as they are related to the choice of officers of the National Government. In my last annual message I endeavored to invoke serious attention to the evils of unfair apportionments for Congress. I can not close this message without again calling attention to these grave and threatening evils. I had hoped that it was possible to secure a nonpartisan inquiry, by means of a commission, into evils the existence of which is known to all, and that out of this might grow legislation from which all thought of partisan advantage should

be eliminated and only the higher thought appear of maintaining the freedom and purity of the ballot and the equality of the elector, without the guaranty of which the Government could never have been formed and without the continuance of which it can not continue to exist in peace and prosperity.

It is time that mutual charges of unfairness and fraud between the great parties should cease, and that the sincerity of those who profess a desire for pure and honest elections should be brought to the test of their willingness to free our legislation and our election methods from everything that tends to impair the public confidence in the announced result. The necessity for an inquiry, and for legislation by Congress, upon this subject is emphasized by the fact that the tendency of the legislation in some States in recent years has in some important particulars been away from and not toward free and fair elections and equal apportionments. Is it not time that we should come together upon the high plane of patriotism while we devise methods that shall secure the right of every man qualified by law to cast a free ballot and give to every such ballot an equal value in choosing our public officers and in directing the policy of the Government?

Lawlessness is not less such, but more, where it usurps the functions of the peace officer and of the courts. The frequent lynching of colored people accused of crime is without the excuse which has sometimes been urged by mobs for a failure to pursue the appointed methods for the punishment of crime, that the accused have an undue influence over courts and juries. Such acts are a reproach to the community where they occur, and so far as they can be made the subject of Federal jurisdiction the strongest repressive legislation is demanded. A public sentiment that will sustain the officers of the law in resisting mobs and in protecting accused persons in their custody should be promoted by every possible means. The officer who gives his life in the brave discharge of this duty is worthy of special honor. No lesson needs to be so urgently impressed upon our people as this, that no worthy end or cause can be promoted by lawlessness.

This exhibit of the work of the Executive Departments is submitted to Congress and to the public in the hope that there will be found in it a due sense of responsibility and an earnest purpose to maintain the national honor and to promote the happiness and prosperity of all our people. And this brief exhibit of the growth and prosperity of the country will give us a level from which to note the increase or decadence that new legislative policies may bring to us. There is no reason why the national influence,

power, and prosperity should not observe the same rates of increase that have characterized the past thirty years. We carry the great impulse and increase of these years into the future. There is no reason why in many lines of production we should not surpass all other nations as we have already done in some. There are no near frontiers to our possible development. Retrogression would be a crime.

BENJ. HARRISON.

EXECUTIVE MANSION,  
December 6, 1892.

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## SPECIAL MESSAGES TO CONGRESS.

### THE GREAT SIOUX RESERVATION.

*To the Senate and House of Representatives :*

In pursuance of the power vested in me by the terms of the last clause of section 3 of the act of Congress approved March 2, 1889, entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1890, and for other purposes," a commission as therein authorized was appointed, consisting of Charles Foster of Ohio, William Warner of Missouri, and General George Crook of the United States Army. This Commission was specially instructed to present to the Sioux Indians occupying the Great Sioux Reservation, for their acceptance thereof and consent thereto in manner and form as therein provided, the act of Congress approved March 2, 1889, entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure the relinquishment of the Indian title to the remainder, and for other purposes."

The report of the Commission was submitted to me on the 24th day of December, 1889, and is, with the accompanying documents and a letter of the Secretary of the Interior, herewith transmitted for the information of Congress. It appears from the report of the Commission that the consent of more than three-fourths of the adult Indians to the terms of the act last named was secured, as required by section 12 of the treaty of 1868, and upon a careful examination of the papers submitted I find such to be the fact, and that such consent is properly evidenced by the signatures of more than three-fourths of such Indians.

At the outset of the negotiations the Commission was confronted by certain questions as to the interpretation and effect of the act of Congress which they were presenting for the acceptance of the Indians. Upon two or three points of some importance the Commission gave, in response to these inquiries, an interpretation to the law, and it was the law thus explained to them that was accepted by the Indians. The Commissioners had no power to bind Congress or the Executive by their construction of a statute, but they were the agents of the United States, first to submit a definite proposition for the acceptance of the Indians, and, that failing, to agree upon modified terms, to be submitted to Congress for ratification. They were dealing with an ignorant and suspicious people, and an explanation of the terms, and effect of the offer submitted could not be avoided. Good faith demands that if the United States expects the lands ceded, the beneficial construction of the act given by our agents should be also admitted and observed.

The chief difficulty in the construction of the act grows out of its relation to prior treaties, which were by section 19 continued in force so far as they are not in conflict with the terms of the act. The seventh article of the treaty of 1868, relating to schools and school-houses, is by section 17 of the act continued in force for twenty years, "subject to such modifications as Congress shall deem most effective to secure to said Indians equivalent benefits of such education."

Section 7 of the treaty of 1868 provides only for instruction in the "elementary branches of an English education," while section 17 of the act, after continuing this section of the treaty in force, provides a fund which is to be applied "for the promotion of industrial and other suitable education among said Indians." Again, section 7 of the treaty provides for the erection of a school-house for every thirty children who can be induced to attend, while section 20 of the act requires the erection of not less than thirty school-houses, and more if found necessary.

The Commissioners were asked by the Indians whether the cost of the English schools provided for in section 7 of the treaty, and of the school houses provided for in the same section, and in section 20 of the act, would be a charge against the proceeds of the lands they were now asked to cede to the United States. This question was answered in the negative, and I think the answer was correct. If the act, without reference to section 7 of the treaty, is to be construed to express the whole duty of the Government towards the Indians in the matter of schools, the extension for twenty years of the provisions of that section is without meaning.

The assurance given by the Commissioners that the money appropriated by section 27 of the act to pay certain bands for the ponies taken by the military authorities in 1876 would not be a charge against the proceeds of the ceded lands was obviously a correct interpretation of the law.

The Indians were further assured by the Commissioners that the amount appropriated for the expenses of the Commission could not under the law be made a charge upon the proceeds of their lands. This I think is a correct exposition of the act.

It seems from the report of the Commission that some of the Indians at the Standing Rock Agency asked whether, if they accepted the act, they could have the election to take their allotments under section 6 of the treaty of 1868 and have the benefits of sections 8 and 10 of that treaty, and were told that they could.

As the treaty is continued in force, except where it contravenes the provisions of the act, I do not see any difficulty in admitting this interpretation.

It will be found that the Commission has submitted many recommendations, some of them involving legislation and others appealing to powers already possessed by the Executive Department. The consent of the Indians to the act was not made dependent upon the adoption of any of these recommendations, but many of them are obviously just and promotive of the true interests of the Indians. So far as these require legislation they are earnestly commended to the attention of Congress.

The Secretary of the Interior has prepared and submits with his letter transmitting the report of the Commission the draft of a bill embodying those recommendations of the Commission requiring legislation.

The appropriations necessary to carry into effect the provisions of the act should be promptly made and be immediately available.

BENJ. HARRISON.

EXECUTIVE MANSION,

*February 10, 1890.*



## THE LAKE TRAVERSE INDIAN RESERVATION.

*To the Senate and House of Representatives :*

I transmit herewith a communication of the 8th instant from the Secretary of the Interior, submitting a report of the Commissioner of Indian Affairs and accompanying agreement made with the Sisseton and Wahpeton bands of Dakota or Sioux Indians for the purchase and release of the surplus lands in the Lake Traverse Indian Reservation in the States of North and South Dakota; the negotiations for said purchase and release having been conducted under the authority contained in the fifth section of the general allotment act of February 8, 1887 (24 Stats., 388), which provides among other things that the "purchase shall not be complete until ratified by Congress, and the form and manner of executing such release shall also be prescribed by Congress."

This agreement involves a departure from the terms of the general allotment act in at least one important particular. It gives to each member of the tribe 160 acres of land without regard to age or sex, while the general law gives this allotment only to heads of families. There are, I think, serious objections to the basis adopted in the general law, especially in its application to married women; but if the basis of the agreement herewith submitted is accepted, it would, I think, result in some cases where there are large families of minor children, in excessive allotments to a single family. Whatever is done in this case will of course become in some sense a precedent in the cases yet to be dealt with.

Perhaps the question of the payment by the United States of the annuities which were forfeited by the act of February 16, 1863 (12 Stats., 652), should not have been considered in connection with this negotiation for the cession of these lands. But it appears that a refusal to consider this claim would have terminated the negotiation, and if the claim is just its allowance has already been too long delayed. The forfeiture declared by the act of 1863 unjustly included the annuities of certain Indians of these bands who were not only guilty of no fault, but who rendered meritorious services in the armies of the United States in the suppression of the Sioux outbreak and in the war of the rebellion.

The agreement submitted, as I understand, provides for the payment of the annuities justly due to these friendly Indians to all the members of the two bands per capita. This is said to be the unanimous wish of the Indians, and a distribution to the friendly

Indians and their descendants only would now be very difficult if not impossible.

The agreement is respectfully submitted for the consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*February 18, 1890.*

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CHIPPEWA INDIANS OF MINNESOTA.

*To the Senate and House of Representatives:*

In pursuance of the authority and direction contained in the act of Congress approved January 14, 1889, entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," three Commissioners were appointed by the President on February 26, 1889, as therein authorized and directed, namely, Henry M. Rice, of Minnesota, Martin Marty, of Dakota, and Joseph B. Whiting, of Wisconsin, to negotiate with said Indians.

The Commissioners have submitted their final report, with accompanying papers, showing the results of the negotiations conducted by them, and the same has been carefully reviewed by the Secretary of the Interior in his report to me thereon.

Being satisfied from an examination of the papers submitted that the cession and relinquishment by said Chippewa Indians of their title and interest in the lands specified and described in the agreement with the different bands or tribes of Chippewa Indians in the State of Minnesota was obtained in the manner prescribed in the first section of said act, and that more than the requisite number have signed said agreement, I have, as provided by said act, approved the said instruments in writing, constituting the agreement entered into by the Commissioners with said Indians.

The Commissioners did not escape the embarrassment which unfortunately too often attends our negotiations with the Indians, namely, an indisposition to treat with the Government for further concessions while its obligations incurred under former agreements are unkept. I am sure it will be the disposition of Congress to consider promptly and in a just and friendly spirit the claims presented by these Indians through our Commissioners which have been formulated in the draught of a bill prepared by the Secretary of the Interior and submitted herewith.

The act of January 14, 1889 (25 U. S. Stat., 642), evidently contemplated the voluntary removal of the body of all these bands of

Indians to the White Earth and Red Lake reservations, but a proviso in section 3 of the act authorized any Indian to take his allotment upon the reservation where he now resides. The Commissioners report that quite a general desire was expressed by the Indians to avail themselves of this option. The result of this is that the ceded land can not be ascertained and brought to sale under the act until all of the allotments are made.

I recommend that the necessary appropriations to complete the surveys and allotments be made at once available, so that the work may be begun and completed at the earliest possible day.

A copy of the report made by the Commissioners, with copies of all the papers submitted therewith, except the census rolls, is herewith presented for the information of the Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,  
March 4, 1890.

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#### AN INTERNATIONAL RAILWAY LINE.

*To the Senate and House of Representatives :*

I transmit herewith a report of the International American Conference, recently in session at this capital, recommending a survey of a route for an intercontinental line of railroad to connect the systems of North America with those of the Southern Continent, and to be conducted under the direction of a board of commissioners representing the several American Republics.

Public attention has chiefly been attracted to the subject of improved water communication between the ports of the United States and those of Central and South America. The creation of new and improved steamship lines undoubtedly furnishes the readiest means of developing an increased trade with the Latin-American nations. But it should not be forgotten that it is possible to travel by land from Washington to the southernmost capital of South America, and that the opening of railroad communication with these friendly states will give to them and to us facilities for intercourse and the exchanges of trade that are of special value. The work contemplated is vast, but entirely practicable. It will be interesting to all and perhaps surprising to most of us to notice how much has already been done in the way of railroad construction in Mexico and South America that can be utilized as part of an intercontinental line. I do not hesitate to recommend that Congress

make the very moderate appropriation for surveys suggested by the conference, and authorize the appointment of commissioners and the detail of engineer officers to direct and conduct the necessary preliminary surveys.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*May 19, 1890.*

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AN INTERNATIONAL AMERICAN BANK.

*To the Senate and House of Representatives :*

I transmit herewith a letter from the Secretary of State, inclosing a report adopted by the International American Conference, recently in session at this capital, recommending the establishment of an international American bank, with its principal offices in the city of New York and branches in the commercial centers of the several other American Republics.

The advantages of such an institution to the merchants of the United States engaged in trade with Central and South America and the purposes intended to be accomplished are fully set forth in the letter of the Secretary of State and the accompanying report. It is not proposed to involve the United States in any financial responsibility, but only to give to the proposed bank a corporate franchise and to promote public confidence by requiring that its condition and transactions shall be submitted to a scrutiny similar to that which is now exercised over our domestic banking system.

The subject is submitted for the consideration of Congress in the belief that it will be found possible to promote the end desired by legislation so guarded as to avoid all just criticism.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*May 27, 1890.*

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THE INTERNATIONAL AMERICAN CONFERENCE.

*To the Senate and House of Representatives :*

The International American Conference, recently in session at this capital, recommended for adoption by the several American Republics :

(1) A uniform system of customs regulations for the classification and valuation of imported merchandise ;

(2) A uniform nomenclature for the description of articles of merchandise imported and exported; and

(3) The establishment at Washington of an international bureau of information.

The conference also, at its final session, decided to establish in the city of Washington, as a fitting memorial of its meeting, a Latin-American library, to be formed by contributions from the several nations of historical, geographical, and literary works, maps, manuscripts, and official documents relating to the history and civilization of America, and expressed a desire that the Government of the United States should provide a suitable building for the shelter of such a library, to be solemnly dedicated upon the four-hundredth anniversary of the discovery of America.

The importance of these suggestions is fully set forth in the letter of the Secretary of State, and the accompanying documents herewith transmitted, to which I invite your attention.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*June 2, 1890.*

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#### RECIPROCAL COMMERCIAL TREATIES.

*To the Senate and House of Representatives:*

I transmit herewith, for your information, a letter from the Secretary of State, inclosing a report of the International American Conference, which recommends that reciprocal commercial treaties be entered into between the United States and the several other Republics of this hemisphere.

It has been so often and so persistently stated that our tariff laws offered an insurmountable barrier to a large exchange of products with the Latin-American nations, that I deem it proper to call especial attention to the fact that more than 87 per cent of the products of those nations sent to our ports are now admitted free. If sugar is placed upon the free list, practically every important article exported from those States will be given untaxed access to our markets, except wool. The real difficulty in the way of negotiating profitable reciprocity treaties is, that we have given freely so much that would have had value in the mutual concessions which such treaties imply. I can not doubt, however, that the present advantages which the products of these near and friendly States enjoy in our markets—though they are not by law exclusive—will, with other considerations, favorably dispose them to adopt such measures,

by treaty or otherwise, as will tend to equalize and greatly enlarge our mutual exchanges.

It will certainly be time enough for us to consider whether we must cheapen the cost of production by cheapening labor, in order to gain access to the South American markets, when we have fairly tried the effect of established and reliable steam communication, and of convenient methods of money exchanges. There can be no doubt, I think, that with these facilities well established, and with a rebate of duties upon imported raw materials used in the manufacture of goods for export, our merchants will be able to compete in the ports of the Latin-American nations with those of any other country.

If after the Congress shall have acted upon pending tariff legislation it shall appear that, under the general treaty-making power, or under any special powers given by law, our trade with the States represented in the Conference can be enlarged upon a basis of mutual advantage, it will be promptly done.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*June 19, 1890.*

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#### THE LOUISIANA STATE LOTTERY.

*To the Senate and House of Representatives:*

The recent attempt to secure a charter from the State of North Dakota for a lottery company, the pending effort to obtain from the State of Louisiana a renewal of the charter of the Louisiana State Lottery, and the establishment of one or more lottery companies at Mexican towns near our border, have served the good purpose of calling public attention to an evil of vast proportions. If the baneful effects of the lotteries were confined to the States that give the companies corporate powers and a license to conduct the business, the citizens of other States, being powerless to apply legal remedies, might clear themselves of responsibility by the use of such moral agencies as were within their reach. But the case is not so. The people of all the States are debauched and defrauded. The vast sums of money offered to the States for charters are drawn from the people of the United States, and the General Government, through its mail system, is made the effective and profitable medium of intercourse between the lottery company and its victims. The use of the mails is quite as essential to the companies as

the State license. It would be practically impossible for these companies to exist if the public mails were once effectively closed against their advertisements and remittances. The use of the mails by these companies is a prostitution of an agency only intended to serve the purposes of a legitimate trade and a decent social intercourse.

It is not necessary, I am sure, for me to attempt to portray the robbery of the poor and the wide-spread corruption of public and private morals which are the necessary incidents of these lottery schemes.

The national capital has become a sub-headquarters of the Louisiana Lottery Company, and its numerous agents and attorneys are conducting here a business involving probably a larger use of the mails than that of any legitimate business enterprise in the District of Columbia. There seems to be good reason to believe that the corrupting touch of these agents has been felt by the clerks in the postal service and by some of the police officers of the District.

Severe and effective legislation should be promptly enacted to enable the Post-Office Department to purge the mails of all letters, newspapers, and circulars relating to the business.

The letter of the Postmaster-General, which I transmit herewith, points out the inadequacy of the existing statutes, and suggests legislation that would be effective.

It may also be necessary to so regulate the carrying of letters by the express companies as to prevent the use of those agencies to maintain communication between the lottery companies and their agents or customers in other States.

It does not seem possible that there can be any division of sentiment as to the propriety of closing the mails against these companies, and I therefore venture to express the hope that such proper powers as are necessary to that end will be at once given to the Post-Office Department.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*July 29, 1890.*

POSTAL AND CABLE COMMUNICATION WITH SOUTH AMERICA.

*To the Senate and House of Representatives :*

I transmit herewith a letter from the Secretary of State, inclosing the recommendations of the International American Conference for the establishment of improved facilities for postal and cable communication between the United States and the several countries of Central and South America.

I can not too strongly urge upon Congress the necessity of giving this subject immediate and favorable consideration, and of making adequate appropriations to carry the recommendations into effect; and in this connection I beg leave to call attention to what was said on the subject in my annual message. The delegates of the seventeen neighboring republics which have so recently been assembled in Washington, at the invitation of this Government, have expressed their wish and purpose to cooperate with the United States in the adoption of measures to improve the means of communication between the several republics of America. They recognize the necessity of frequent, regular, and rapid steamship service, both for the purpose of maintaining friendly intercourse and for the convenience of commerce, and realize that without such facilities it is useless to attempt to extend the trade between their ports and ours.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*July 2, 1890.*

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AGREEMENT WITH THE SAC AND FOX INDIANS.

*To the Senate and House of Representatives :*

In compliance with the provisions of section 14 of the act of March 2, 1889, I transmit herewith, for the consideration of Congress, an agreement concluded between the Commissioners appointed under that section on behalf of the United States commonly known as the Cherokee Commission, and the Sac and Fox Nation of Indians in the Indian Territory, on the 12th day of June last.

The Sac and Fox Nation have a national council, and the negotiation was conducted with that body, which undoubtedly had competent authority to contract on behalf of the tribe for the sale of these lands. The letter of the Secretary of the Interior and the



accompanying papers, which are submitted herewith furnish all the information necessary to the consideration of the questions to be determined by Congress.

The only serious question presented is as to that article of the agreement which limits the distribution of the funds to be paid by the United States, under it, to the Sac and Fox Indians now in the Indian Territory. I very gravely doubt whether the remnant or band of this tribe now living in Iowa has any interest in these lands in the Indian Territory. The reservation there was apparently given in consideration of improvements upon the lands or the tribe in Kansas. The band now resident in Iowa, upon lands purchased by their own means, as I am advised, left the Kansas reservation many years before the date of this treaty and, it would seem, could have had no equitable interest in the improvements on the Kansas lands, which must have been the result of the labors of that portion of the tribe living upon them. The right of the Iowa band to a participation in the proceeds of the sale of the Kansas reservation was explicitly reserved in the treaty, but it seems to me, upon a somewhat hasty examination of the treaty, that the reservation in the Indian Territory was intended only for the benefit of those who should go there to reside. The Secretary of the Interior has expressed a somewhat different view of the effect of this treaty, but if the facts are, as I understand, that the Iowa band did not contribute to the improvements which were the consideration for the reservation, and did not accept the invitation to settle upon the reservation lands in the Indian Territory, I do not well see how they have either an equitable or legal claim to participate in the proceeds of the sale of those lands.

The whole matter is submitted for the consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*July 2, 1890.*

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#### LANDS IN ARIZONA AND NEW MEXICO.

*To the Senate and House of Representatives:*

In my annual message I called attention to the urgent need of legislation for the adjustment of the claims under Mexican grants to lands in Arizona and New Mexico.

I now submit a correspondence which has passed between the Department of State and the Mexican Government concerning the rights of certain Mexican citizens to have their claims to lands

ceded to the United States by the treaty adjusted and confirmed. I also submit a letter from the Secretary of the Interior, with accompanying papers, showing the number and extent of these claims and their present condition.

The United States owes a duty to Mexico to confirm to her citizens those valid grants that were saved by the treaty, and the long delay which has attended the discharge of this duty has given just cause of complaint.

The entire community where these large claims exist, and indeed all of our people, are interested in an early and final settlement of them. No greater incubus can rest upon the energies of a people in the development of a new country than that resulting from unsettled land titles.

The necessity for legislation is so evident and so urgent that I venture to express the hope that relief will be given at the present session of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*July 1, 1890.*

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#### DISTRESS IN OKLAHOMA.

*To the Senate and House of Representatives:*

I have received, under date of July 29 ultimo, a communication from the Hon. George W. Steele, governor of the Territory of Oklahoma, in which, among other things, he says:

A delegation from township 16, range 1, in this county, has just left me, who came to represent that there are at this time twenty-eight families in that township who are in actual need of the necessaries of life, and they give it as their opinion that their township is not an exception, and that in the very near future a large proportion of the settlers of this Territory will have to have assistance. This I have looked for, but have hoped to bridge over until after the legislature meets, when I thought some arrangement might be made for taking care of these needy people; but with little taxable property in the Territory, and very many necessary demands to be made and met, I doubt if the legislature will be able to make such provision until a crop is raised next year as will be adequate to the demands. \* \* \*

Now, I know whereof I speak, and I say there are a great many people in this Territory who have not the necessary means of providing meals for a day to come and are being helped by their very poor neighbors. No one regrets more than I do the necessity of making the foregoing statement, and I have hoped to bridge the matter over, as I have said before, until the legislature would meet, and see if some provision could be made. I now see the utter hopelessness of such a course, and I beg of you to call the attention of Congress to the condition of our people, with the earnest hope that provision may be made whereby great suffering may be relieved; and I assure you that so far as I am able to prevent it, not one ounce of provisions, or a cent of money contributed to the above need shall be improperly used.

Information received by me from other sources leads me to believe that Governor Steele is altogether right in his impression that there will be, unless relief is afforded either by public appropriation or by organized individual effort, wide-spread suffering among the settlers in Oklahoma. Many of these people expended in travel and in providing shelter for their families all of their accumulated means. The crop prospects for this year are, by reason of drought, quite unfavorable, and the ability of the Territory itself to provide relief must be inadequate during this year.

I am advised that there is an unexpended balance of about \$45,000 of the fund appropriated for the relief of the sufferers by flood upon the Mississippi River and its tributaries, and I recommend that authority be given to use this fund to meet the most urgent necessities of the poorer people in Oklahoma. Steps have been taken to ascertain more particularly the condition of the people throughout the Territory, and if a larger relief should seem to be necessary the facts will be submitted to Congress. If the fund to which I have referred should be made available for relief in Oklahoma, care will be taken that so much of it as is necessary to be expended shall be judiciously applied to the most worthy and necessitous cases.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*August 8, 1890.*

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INTERNATIONAL ARBITRATION.

*To the Senate and House of Representatives:*

I transmit herewith a letter from the Secretary of State, which is accompanied by three reports adopted by the Conference of American Nations recently in session at Washington relating to the subject of international arbitration. The ratification of the treaties contemplated by these reports will constitute one of the happiest and most hopeful incidents in the history of the Western Hemisphere.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*September 3, 1890.*

VACANCIES IN OFFICE OF SECRETARY.

*To the Senate and House of Representatives:*

The sudden death of the honorable William Windom, Secretary of the Treasury, in New York, on the evening of the 29th instant, has directed my attention to the present state of the law as to the filling of a vacancy occasioned by the death of the head of a Department.

I transmit herewith an opinion of the Attorney-General from which it will be seen that under the statutes in force no officer in the Treasury Department, or other person designated by me, can exercise the duties of Secretary of the Treasury for a longer period than ten days. This limitation is, I am sure, unwise, and necessarily involves, in such a case as that now presented, undue haste and even indelicacy. The President should not be required to take up the question of the selection of a successor before the last offices of affection and respect have been paid to the dead. If the proprieties of an occasion as sad as that which now overshadows us are observed, possibly one-half of the brief time allowed is gone before, with due regard to the decencies of life, the President and those with whom he should advise can take up the consideration of the grave duty of selecting a head for one of the greatest Departments of the Government.

Hasty action by the Senate is also necessarily involved, and geographical limitations are practically imposed by the necessity of selecting some one who can reach the capital and take the necessary oath of office before the expiration of the ten days.

It may be a very proper restriction of the power of the President in this connection that he shall not designate, for any great length of time, a person to discharge these important duties who has not been confirmed by the Senate; but there would seem to be no reason why one of the assistant secretaries of the Department wherein the vacancy exists might not discharge the duties of Secretary until a successor is selected, confirmed, and qualified. The inconvenience of this limitation was made apparent at the time of the death of Secretary Folger. President Arthur, in that case, allowed one of the assistant secretaries, who had been designated to act in the absence of the Secretary, to continue in the discharge of such duties for ten days, then designated the same person to discharge the duties for a further term of ten days, and then made a temporary appointment as Secretary in order to secure the consideration that he needed in filling this important place.

I recommend such a modification of the existing law as will permit the first or *sole* assistant, or in the case of the Treasury Department, where the assistants are not graded, that one who may be designated by the President, to discharge the duties of the head of the Department until a successor is appointed and qualified.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*January 31, 1891.*

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#### DEATH OF ADMIRAL PORTER.

*To the Senate and House of Representatives:*

The Admiral of the Navy, David Dixon Porter, died at his residence in the city of Washington this morning at 8:15 o'clock, in the seventy-eighth year of his age. He entered the naval service as a midshipman February 2, 1829, and had been since continuously in service, having been made Admiral August 15, 1870. He was the son of Commodore David Porter, one of the greatest of our naval commanders. His service during the civil war was conspicuously brilliant and successful, and his death ends a very high and honorable career. His countrymen will sincerely mourn his loss, while they cherish with grateful pride the memory of his deeds. To officers of the Navy his life will continue to yield inspiration and encouragement.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*February 13, 1891.*

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#### DEATH OF GENERAL SHERMAN.

*To the Senate and House of Representatives:*

The death of William Tecumseh Sherman, which took place to-day at his residence in the city of New York at 1 o'clock and 50 minutes p. m., is an event that will bring sorrow to the heart of every patriotic citizen. No living American was so loved and venerated as he. To look upon his face, to hear his name, was to have one's love of country intensified. He served his country, not for fame, not out of a sense of professional duty, but for love of the flag and of the beneficent civil institutions of which it was the emblem. He was an ideal soldier, and shared to the fullest the

*esprit de corps* of the Army ; but he cherished the civil institutions organized under the Constitution, and was a soldier only that these might be perpetuated in undiminished usefulness and honor. He was in nothing an imitator.

A profound student of military science and precedent, he drew from them principles and suggestions, and so adapted them to novel conditions that his campaigns will continue to be the profitable study of the military profession throughout the world. His genial nature made him comrade to every soldier of the great Union Army. No presence was so welcome and inspiring at the camp-fire or commandery as his. His career was complete ; his honors were full. He had received from the Government the highest rank known to our military establishment, and from the people unstinted gratitude and love. No word of mine can add to his fame. His death has followed in startling quickness that of the Admiral of the Navy ; and it is a sad and notable incident that when the Department under which he served shall have put on the usual emblems of mourning, four of the eight Executive Departments will be simultaneously draped in black, and one other has but to-day removed the crape from its walls.

BENJ. HARRISON.

EXECUTIVE MANSION,  
February, 14, 1891.

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#### THE FAMINE IN RUSSIA.

*To the Senate and House of Representatives:*

The famine prevailing in some of the provinces of Russia is so severe and widespread as to have attracted the sympathetic interest of a large number of our liberal and favored people. In some of the great grain-producing States of the West movements have already been organized to collect flour and meal for the relief of these perishing Russian families, and the response has been such as to justify the belief that a ship's cargo can very soon be delivered at the seaboard through the generous coöperation of the transportation lines. It is most appropriate that a people whose storehouses have been so lavishly filled with all the fruits of the earth by the gracious favor of God should manifest their gratitude by large gifts to his suffering children in other lands. The Secretary of the Navy has no steam vessel at his disposal that could be used for the transportation of these supplies, and I therefore recommend that he be

authorized to charter a suitable vessel to receive them, if a sufficient amount should be offered, and to send them under the charge of a naval officer to such Russian port as may be most convenient for ready distribution to those most in need.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*January 5, 1892.*

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#### THE MOB AT VALPARAISO, CHILE.

*To the Senate and House of Representatives :*

In my annual message, delivered to Congress at the beginning of the present session, after a brief statement of the facts then in the possession of this Government touching the assault, in the streets of Valparaiso, Chile, upon the sailors of the U. S. S. *Baltimore*, on the evening of the 16th of October last, I said :

This Government is now awaiting the result of an investigation which has been conducted by the criminal court at Valparaiso. It is reported unofficially that the investigation is about completed, and it is expected that the result will soon be communicated to this Government, together with some adequate and satisfactory response to the note by which the attention of Chile was called to this incident. If these just expectations should be disappointed or further needless delay intervene, I will, by a special message, bring this matter again to the attention of Congress for such action as may be necessary.

In my opinion the time has now come when I should lay before the Congress and the country the correspondence between this Government and the Government of Chile, from the time of the breaking out of the revolution against Balmaceda, together with all other facts in possession of the Executive Department relating to this matter. The diplomatic correspondence is herewith transmitted, together with some correspondence between the naval officers for the time in command in Chilean waters and the Secretary of the Navy and also the evidence taken at the Mare Island navy-yard since the arrival of the *Baltimore* at San Francisco. I do not deem it necessary in this communication to attempt any full analysis of the correspondence or of the evidence. A brief restatement of the international questions involved and of the reasons why the responses of the Chilean Government are unsatisfactory is all that I deem necessary.

It may be well, at the outset, to say that whatever may have been said in this country or in Chile in criticism of Mr. Egan, our minister at Santiago, the true history of this exciting period in Chilean affairs, from the outbreak of the revolution until this time,

discloses no act on the part of Mr. Egan unworthy of his position or that could justly be the occasion of serious animadversion or criticism. He has, I think, on the whole, borne himself, in very trying circumstances, with dignity, discretion, and courage, and has conducted the correspondence with ability, courtesy, and fairness.

It is worth while also at the beginning to say that the right of Mr. Egan to give shelter in the legation to certain adherents of the Balmaceda Government, who applied to him for asylum, has not been denied by the Chilean authorities, nor has any demand been made for the surrender of these refugees. That there was urgent need of asylum is shown by Mr. Egan's note of August 24, 1891, describing the disorders that prevailed in Santiago, and by the evidence of Capt. Schley as to the pillage and violence that prevailed at Valparaiso. The correspondence discloses, however, that the request of Mr. Egan for a safe conduct from the country, in behalf of these refugees, was denied. The precedents cited by him in the correspondence, particularly the case of the revolution in Peru in 1865, did not leave the Chilean Government in a position to deny the right of asylum to political refugees, and seemed very clearly to support Mr. Egan's contention that a safe conduct to neutral territory was a necessary and acknowledged incident of the asylum. These refugees have very recently, without formal safe conduct, but by the acquiescence of the Chilean authorities, been placed on board the *Yorktown* and are now being conveyed to Callao, Peru. This incident might be considered wholly closed, but for the disrespect manifested toward this Government by the close and offensive police surveillance of the legation premises, which was maintained during most of the period of the stay of the refugees therein. After the date of my annual message, and up to the time of the transfer of the refugees to the *Yorktown*, the legation premises seem to have been surrounded by police in uniform, and police agents or detectives in citizens' dress, who offensively scrutinized persons entering or leaving the legation, and on one or more occasions arrested members of the minister's family. Commander Evans, who, by my direction, recently visited Mr. Egan at Santiago, in his telegram to the Navy Department, described the legation as "a veritable prison," and states that the police agents or detectives were, after his arrival, withdrawn during his stay. It appears further, from the note of Mr. Egan of November 20, 1891, that on one occasion at least these police agents, whom he declares to be known to him, invaded the legation premises, pounding upon its windows and using insulting and threatening language towards persons therein. This breach of the right of a minister to freedom



from police espionage and restraint seems to have been so flagrant that the Argentine minister, who was dean of the diplomatic corps, having observed it, felt called upon to protest against it to the Chilean minister of foreign affairs. The Chilean authorities have, as will be observed from the correspondence, charged the refugees and the inmates of the legation with insulting the police; but it seems to me incredible that men whose lives were in jeopardy, and whose safety could only be secured by retirement and quietness, should have sought to provoke a collision which could only end in their destruction, or to aggravate their condition by intensifying a popular feeling that at one time so threatened the legation as to require Mr. Egan to appeal to the minister of foreign affairs.

But the most serious incident disclosed by the correspondence is that of the attack upon the sailors of the *Baltimore* in the streets of Valparaiso on the 16th of October last. In my annual message, speaking upon the information then in my possession, I said:

So far as I have yet been able to learn, no other explanation of this bloody work has been suggested than that it had its origin in hostility to these men as sailors of the United States, wearing the uniform of their Government, and not in any individual act or personal animosity.

We have now received from the Chilean Government an abstract of the conclusions of the fiscal general upon the testimony taken by the judge of crimes in an investigation which was made to extend over nearly three months. I very much regret to be compelled to say that this report does not enable me to modify the conclusion announced in my annual message. I am still of the opinion that our sailors were assaulted, beaten, stabbed, and killed, not for anything they or any one of them had done, but for what the Government of the United States had done, or was charged with having done, by its civil officers and naval commanders. If that be the true aspect of the case, the injury was to the Government of the United States, not to these poor sailors who were assaulted in a manner so brutal and so cowardly.

Before attempting to give an outline of the facts upon which this conclusion rests, I think it right to say a word or two upon the legal aspect of the case. The *Baltimore* was in the harbor of Valparaiso by virtue of that general invitation which nations are held to extend to the war vessels of other powers with which they have friendly relations. This invitation, I think, must be held ordinarily to embrace the privilege of such communication with the shore as is reasonable, necessary, and proper for the comfort and convenience of the officers and men of such vessels. Capt. Schley testifies that when his vessel returned to Valparaiso, on September 14, the city

officers, as is customary, extended the hospitalities of the city to his officers and crew. It is not claimed that every personal collision or injury in which a sailor or officer of such naval vessel visiting the shore may be involved raises an international question; but I am clearly of the opinion that where such sailors or officers are assaulted by a resident populace, animated by hostility to the Government whose uniform these sailors and officers wear, and in resentment of acts done by their Government, not by them, their nation must take notice of the event as one involving an infraction of its rights and dignity; not in a secondary way, as where a citizen is injured and presents his claim through his own Government, but in a primary way, precisely as if its minister or consul, or the flag itself, had been the object of the same character of assault. The officers and sailors of the *Baltimore* were in the harbor of Valparaiso under the orders of their Government, not by their own choice. They were upon the shore by the implied invitation of the Government of Chile and with the approval of their commanding officer; and it does not distinguish their case from that of a consul that his stay is more permanent, or that he holds the express invitation of the local government to justify his longer residence. Nor does it affect the question that the injury was the act of a mob. If there had been no participation by the police or military in this cruel work, and no neglect on their part to extend protection, the case would still be one, in my opinion, when its extent and character are considered, involving international rights.

The incidents of the affair are, briefly, as follows:

On the 16th of October last Capt. Schley, commanding the U. S. S. *Baltimore*, gave shore leave to one hundred and seventeen petty officers and sailors of his ship. These men left the ship about 1:30 p. m. No incident of violence occurred; none of our men were arrested; no complaint was lodged against them; nor did any collision or outbreak occur until about 6 o'clock p. m. Capt. Schley states that he was himself on shore and about the streets of the city until 5:30 p. m.; that he met very many of his men who were upon leave; that they were sober and were conducting themselves with propriety, saluting Chilean and other officers as they met them. Other officers of the ship and Capt. Jenkins, of the merchant ship *Keweenaw*, corroborate Capt. Schley as to the general sobriety and good behavior of our men. The Sisters of Charity at the hospital to which our wounded men were taken, when inquired of, stated that they were sober when received. If the situation had been otherwise, we must believe that the Chilean police authorities would have made arrests. About 6 p. m. the

assault began, and it is remarkable that the investigation by the judge of crimes, though so protracted, does not enable him to give any more satisfactory account of its origin than is found in the statement that it began between drunken sailors. Repeatedly in the correspondence it is asserted that it was impossible to learn the precise cause of the riot. The minister of foreign affairs, Matta, in his telegram to Mr. Montt, under date December 31, states that the quarrel began between two sailors in a tavern and was continued in the street, persons who were passing joining in it.

The testimony of Talbot, an apprentice who was with Riggin, is that the outbreak in which they were involved began by a Chilean sailor spitting in the face of Talbot, which was resented by a knock-down. It appears that Riggin and Talbot were at the time unaccompanied by any others of their shipmates. These two men were immediately beset by a crowd of Chilean citizens and sailors, through which they broke their way to a street car and entered it for safety. They were pursued, driven from the car, and Riggin was so seriously beaten that he fell in the street apparently dead. There is nothing in the report of the Chilean investigation made to us that seriously impeaches this testimony. It appears from Chilean sources that almost instantly, with a suddenness that strongly implies meditation and preparation, a mob, stated by the police authorities at one time to number 2,000 and at another 1,000, was engaged in the assault upon our sailors, who are represented as resisting "with stones, clubs, and bright arms." The report of the intendente of October 30 states that the fight began at 6 p. m. in three streets which are named, that information was received at the intendencia at 6:15, and that the police arrived on the scene at 6:30, a full half hour after the assault began. At that time he says that a mob of 2,000 men had collected, and that for several squares there was the appearance of a "real battlefield."

The scene at this point is very graphically set before us by the Chilean testimony. The American sailors, who, after so long an examination, have not been found guilty of any breach of the peace, so far as the Chilean authorities are able to discover, unarmed and defenseless, are fleeing for their lives, pursued by overwhelming numbers, and fighting only to aid their own escape from death or to succor some mate whose life is in greater peril. Eighteen of them are brutally stabbed and beaten, while one Chilean seems, from the report, to have suffered some injury; but how serious or with what character of weapon, or whether by a missile thrown by our men or by some of his fellow rioters, is unascertained.

The pretense that our men were fighting "with stones, clubs,

and bright arms" is, in view of these facts, incredible. It is further refuted by the fact that our prisoners, when searched, were absolutely without arms, only seven penknives being found in the possession of the men arrested, while there were received by our men more than thirty stab wounds, every one of which was inflicted in the back, and almost every contused wound was in the back or back of the head. The evidence of the ship's officer of the day is that even the jackknives of the men were taken from them before leaving the ship.

As to the brutal nature of the treatment received by our men, the following extract from the account given of the affair by the *La Patria* newspaper of Valparaiso, of October 17, can not be regarded as too friendly:

The Yankees, as soon as their pursuers gave chase, went by way of the Calle del Arsenal towards the city car station. In the presence of an ordinary number of citizens, among whom were some sailors, the North Americans took seats in the street car to escape from the stones which the Chileans threw at them. It was believed for an instant that the North Americans had saved themselves from popular fury, but such was not the case. Scarcely had the car begun to move, when a crowd gathered around and stopped its progress. Under these circumstances and without any cessation of the howling and throwing of stones at the North Americans, the conductor entered the car and, seeing the risk of the situation to the vehicle, ordered them to get out. At the instant the sailors left the car, in the midst of a hail of stones, the said conductor received a stone blow on the head. One of the Yankee sailors managed to escape in the direction of the Plaza Wheelright, but the other was felled to the ground by a stone. Managing to raise himself from the ground where he lay he staggered in an opposite direction from the station. In front of the house of Señor Mazzini he was again wounded, falling then senseless and breathless.

No amount of evasion or subterfuge is able to cloud our clear vision of this brutal work. It should be noticed, in this connection, that the American sailors arrested, after an examination, were, during the four days following the arrest, every one discharged, no charge of any breach of the peace or other criminal conduct having been sustained against a single one of them. The judge of crimes, Foster, in a note to the intendente, under date of October 22—before the dispatch from this Government of the following day, which aroused the authorities of Chile to a better sense of the gravity of the affair—says: "Having presided temporarily over this court in regard to the seamen of the U. S. cruiser *Baltimore*, who have been tried on account of the deplorable conduct which took place," etc. The noticeable point here is that our sailors had been tried before the 22d of October and that the trial resulted in their acquittal and return to their vessel. It is quite remarkable and quite characteristic of the management of this affair by the Chilean police authorities that we should now be advised that

Seaman Davidson, of the *Baltimore*, has been included in the indictment, his offense being, so far as I have been able to ascertain, that he attempted to defend a shipmate against an assailant who was striking at him with a knife. The perfect vindication of our men is furnished by this report; only one is found to have been guilty of criminal fault, and that for an act clearly justifiable.

As to the part taken by the police in the affair the case made by Chile is also far from satisfactory. The point where Riggins was killed is only three minutes' walk from the police station and not more than twice that distance from the intendencia; and yet, according to their official report, a full half hour elapsed after the assault began before the police were upon the ground. It has been stated that all but two of our men have said that the police did their duty. The evidence taken at Mare Island shows that if such a statement was procured from our men it was accomplished by requiring them to sign a writing in a language they did not understand and by the representation that it was a mere declaration that they had taken no part in the disturbance. Lieut. McCrea, who acted as interpreter, says in his evidence that when our sailors were examined before the court the subject of the conduct of the police was so carefully avoided that he reported the fact to Capt. Schley on his return to the vessel.

The evidences of the existence of animosity towards our sailors in the minds of the sailors of the Chilean navy and of the populace of Valparaiso are so abundant and various as to leave no doubt in the mind of anyone who will examine the papers submitted. It manifested itself in threatening and insulting gestures towards our men as they passed the Chilean men-of-war in their boats and in the derisive and abusive epithets with which they greeted every appearance of an American sailor on the evening of the riot. Capt. Schley reports that boats from the Chilean war ships several times went out of their course to cross the bows of his boats, compelling them to back water. He complained of the discourtesy and it was corrected. That this feeling was shared by men of higher rank is shown by an incident related by Surg. Stitt of the *Baltimore*. After the battle of Placilla he, with other medical officers of the war vessels in the harbor, was giving voluntary assistance to the wounded in the hospitals. The son of a Chilean army officer of high rank was under his care, and, when the father discovered it, he flew into a passion and said he would rather have his son die than have Americans touch him, and at once had him removed from the ward. This feeling is not well concealed in the dispatches of the foreign office and had quite open expression in the disrespectful treatment of the American legation. The Chilean boatmen in the bay refused,

even for large offers of money, to return our sailors, who crowded the Mole, to their ship when they were endeavoring to escape from the city on the night of the assault. The market boats of the *Baltimore* were threatened, and even quite recently the gig of Commander Evans, of the *Yorktown*, was stoned while waiting for him at the Mole.

The evidence of our sailors clearly shows that the attack was expected by the Chilean people, that threats had been made against our men, and that in one case somewhat early in the afternoon, the keeper of one house, into which some of our men had gone, closed his establishment in anticipation of the attack which he advised them would be made upon them as darkness came on.

In a report of Capt. Schley to the Navy Department he says:

In the only interview that I had with Judge Foster, who is investigating the case relative to the disturbance, before he was aware of the entire gravity of the matter, he informed me that the assault upon my men was the outcome of hatred for our people among the lower classes, because they thought we had sympathized with the Balmaceda government on account of the *Itata* matter, whether with reason or without he could, of course, not admit; but such he thought was the explanation of the assault at that time.

Several of our men sought security from the mob by such complete or partial changes in their dress as would conceal the fact of their being seamen of the *Baltimore* and found it then possible to walk the streets without molestation. These incidents conclusively establish that the attack was upon the uniform—the nationality—and not upon the men.

The origin of this feeling is probably found in the refusal of this Government to give recognition to the Congressional party before it had established itself in the seizure of the *Itata* for an alleged violation of the neutrality law, in the cable incident, and in the charge that Admiral Brown conveyed information to Valparaiso of the landing at Quinteros. It is not my purpose to enter here any defense of the action of this Government in these matters. It is enough for the present purpose to say that if there was any breach of international comity or duty on our part it should have been made the subject of official complaint through diplomatic channels or of reprisals for which a full responsibility was assumed. We can not consent that these incidents and these perversions of the truth shall be used to excite a murderous attack upon our unoffending sailors and the Government of Chile go acquit of responsibility. In fact, the conduct of this Government during the war in Chile pursued those lines of international duty which we had so strongly insisted upon on the part of other nations when this country was in the throes of a civil conflict. We continued the established

diplomatic relations with the government in power until it was overthrown, and promptly and cordially recognized the new government when it was established. The good offices of this Government were offered to bring about a peaceful adjustment, and the interposition of Mr. Egan to mitigate severities and to shelter adherents of the Congressional party were effective and frequent. The charge against Admiral Brown is too base to gain credence with anyone who knows his high personal and professional character.

Recurring to the evidence of our sailors, I think it is shown that there were several distinct assaults and so nearly simultaneous as to show that they did not spread from one point. A press summary of the report of the fiscal shows that the evidence of the Chilean officials and others was in conflict as to the place of origin, several places being named by different witnesses as the locality where the first outbreak occurred. This, if correctly reported, shows that there were several distinct outbreaks, and so nearly at the same time as to cause this confusion.

The *La Patria*, in the same issue from which I have already quoted, after describing the killing of Riggan and the fight which from that point extended to the Mole, says :

At the same time in other streets of the port the Yankee sailors fought fiercely with the people of the town, who believed to see in them incarnate enemies of the Chilean navy.

The testimony of Capt. Jenkins, of the American merchant ship *Keweenaw*, which had gone to Valparaiso for repairs, and who was a witness of some part of the assault upon the crew of the *Baltimore*, is strongly corroborative of the testimony of our own sailors when he says that he saw Chilean sentries drive back a seaman, seeking shelter, upon a mob that was pursuing him. The officers and men of Capt. Jenkins's ship furnish the most conclusive testimony as to the indignities which were practiced towards Americans in Valparaiso. When American sailors, even of merchant ships, can only secure their safety by denying their nationality, it must be time to readjust our relations with a government that permits such demonstrations.

As to the participation of the police, the evidence of our sailors shows that our men were struck and beaten by police officers before and after arrest, and that one, at least, was dragged with a lasso about his neck by a mounted policeman. That the death of Riggan was the result of a rifle shot fired by a policeman or soldier on duty is shown directly by the testimony of Johnson, in whose arms he was at the time, and by the evidence of Charles Langen, an American sailor not then a member of the *Baltimore's* crew, who stood

close by and saw the transaction. The Chilean authorities do not pretend to fix the responsibility of this shot upon any particular person, but avow their inability to ascertain who fired it, further than that it was fired from a crowd. The character of the wound, as described by one of the surgeons of the *Baltimore*, clearly supports his opinion that it was made by a rifle ball, the orifice of exit being as much as an inch or an inch and a quarter in width. When shot the poor fellow was unconscious and in the arms of a comrade, who was endeavoring to carry him to a neighboring drug store for treatment. The story of the police that, in coming up the street, they passed these men and left them behind them, is inconsistent with their own statement as to the direction of their approach and with their duty to protect them, and is clearly disproved. In fact, Riggin was not behind, but in front of the advancing force, and was not standing in the crowd, but was unconscious and supported in the arms of Johnson when he was shot.

The communications of the Chilean Government in relation to this cruel and disastrous attack upon our men, as will appear from the correspondence, have not in any degree taken the form of a manly and satisfactory expression of regret, much less of apology. The event was of so serious a character that if the injuries suffered by our men had been wholly the result of an accident in a Chilean port the incident was grave enough to have called for some public expression of sympathy and regret from the local authorities. It is not enough to say that the affair was lamentable, for humanity would require that expression, even if the beating and killing of our men had been justifiable. It is not enough to say that the incident is regretted, coupled with the statement that the affair was not of an unusual character in ports where foreign sailors are accustomed to meet. It is not for a generous and sincere government to seek for words of small or equivocal meaning in which to convey to a friendly power an apology for an offense so atrocious as this. In the case of the assault by a mob in New Orleans upon the Spanish consulate in 1851, Mr. Webster wrote to the Spanish minister Mr. Calderon, that the acts complained of were "a disgraceful and flagrant breach of duty and propriety," and that his Government "regrets them as deeply as Minister Calderon or his Government could possibly do;" that "these acts have caused the President great pain and he thinks a proper acknowledgment is due to Her Majesty's Government." He invited the Spanish consul to return to his post guaranteeing protection, and offered to salute the Spanish flag if the consul should come in a Spanish vessel. Such a



treatment by the Government of Chile of this assault would have been more creditable to the Chilean authorities ; and much less can hardly be satisfactory to a Government that values its dignity and honor.

In our note of October 23 last, which appears in the correspondence, after receiving the report of the board of officers appointed by Capt. Schley to investigate the affair, the Chilean Government was advised of the aspect which it then assumed, and called upon for any facts in its possession that might tend to modify the unfavorable impressions which our report had created. It is very clear from the correspondence that before the receipt of this note the examination was regarded by the police authorities as practically closed. It was, however, reopened and protracted through a period of nearly three months. We might justly have complained of this unreasonable delay, but, in view of the fact that the Government of Chile was still provisional, and with a disposition to be forbearing and hopeful of a friendly termination, I have awaited the report which has but recently been made.

On the 21st instant I caused to be communicated to the Government of Chile, by the American minister at Santiago, the conclusions of this Government after a full consideration of all the evidence and of every suggestion affecting this matter, and to these conclusions I adhere. They were stated as follows :

First. That the assault is not relieved of the aspect which the early information of the event gave to it, viz: That of an attack upon the uniform of the U. S. Navy, having its origin and motive in a feeling of hostility to this Government, and not in any act of the sailors or of any of them.

Second. That the public authorities of Valparaiso, flagrantly failed in their duty to protect our men and that some of the police and of the Chilean soldiers and sailors were themselves guilty of unprovoked assaults upon our sailors before and after arrest. He [the President] thinks the preponderance of the evidence and the inherent probabilities lead to the conclusion that Riggin was killed by the police or soldiers.

Third. That he [the President] is therefore compelled to bring the case back to the position taken by this Government in the note of Mr. Wharton, of October 23 last \* \* \* and to ask for a suitable apology and for some adequate reparation for the injury done to this Government.

In the same note the attention of the Chilean Government was called to the offensive character of a note addressed by Mr. Matta, its minister of foreign affairs, to Mr. Montt, its minister at this Capital, on the 11th ultimo. This dispatch was not officially communicated to this Government ; but, as Mr. Montt was directed to translate it and to give it to the press of this country, it seemed to me that it could not pass without official notice. It was not only undiplomatic, but grossly insulting to our naval officers and to the Executive Department, as it directly imputed untruth and insin-

cerity to the reports of the naval officers and to the official communications made by the Executive Department to Congress. It will be observed that I have notified the Chilean Government that, unless this note is at once withdrawn and an apology as public as the offense made, I will terminate diplomatic relations.

The request for the recall of Mr. Egan, upon the ground that he was not *persona grata*, was unaccompanied by any suggestion that could properly be used in support of it, and I infer that the request is based upon official acts of Mr. Egan which have received the approval of this Government. But, however that may be, I could not consent to consider such a question until it had first been settled whether our correspondence with Chile could be conducted upon a basis of mutual respect.

In submitting these papers to Congress for that grave and patriotic consideration which the questions involved demand, I desire to say that I am of the opinion that the demands made of Chile by this Government should be adhered to and enforced. If the dignity as well as the prestige and influence of the United States are not to be wholly sacrificed, we must protect those who, in foreign ports, display the flag or wear the colors of this Government against insult, brutality, and death, inflicted in resentment of the acts of their Government, and not for any fault of their own. It has been my desire in every way to cultivate friendly and intimate relations with all the Governments of this hemisphere. We do not covet their territory; we desire their peace and prosperity. We look for no advantage in our relations with them, except the increased exchanges of commerce upon a basis of mutual benefit. We regret every civil contest that disturbs their peace and paralyzes their development, and are always ready to give our good offices for the restoration of peace. It must, however, be understood that this Government, while exercising the utmost forbearance towards weaker powers, will extend its strong and adequate protection to its citizens, to its officers, and to its humblest sailor, when made the victims of wantonness and cruelty in resentment, not of their personal misconduct, but of the official acts of their Government.

Upon information received that Patrick Shields, an Irishman and probably a British subject, but at the time a fireman of the American steamer *Keweenaw*, in the harbor of Valparaiso for repairs, had been subjected to personal injuries in that city—largely by the police—I directed the Attorney-General to cause the evidence of the officers and crew of that vessel to be taken upon its arrival in San Francisco; and that testimony is also herewith transmitted. The brutality and even savagery of the treat-

ment of this poor man by the Chilean police would be incredible if the evidence of Shields was not supported by other direct testimony and by the distressing condition of the man himself when he was finally able to reach his vessel. The captain of the vessel says :

He came back a wreck; black from his neck to his hips, from beating; weak and stupid, and is still in a kind of paralyzed condition, and has never been able to do duty since.

A claim for reparation has been made in behalf of this man, for, while he was not a citizen of the United States, the doctrine long held by us, as expressed in the consular regulations, is :

The principles which are maintained by this Government in regard to the protection, as distinguished from the relief, of seamen are well settled. It is held that the circumstance that the vessel is American is evidence that the seamen on board are such; and in every regularly documented merchant vessel the crew will find their protection in the flag that covers them.

I have as yet received no reply to our note of the 21st instant, but, in my opinion, I ought not to delay longer to bring these matters to the attention of Congress for such action as may be deemed appropriate.

BENJ. HARRISON.

EXECUTIVE MANSION,

*January 25, 1892.*

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AN ADDITIONAL MESSAGE.

*To the Senate and House of Representatives :*

I transmit herewith additional correspondence between this Government and the Government of Chile, consisting of a note of Mr. Montt, the Chilean minister at this capital to Mr. Blaine, dated January 23; a reply of Mr. Blaine thereto of date January 27; and a dispatch from Mr. Egan, our minister at Santiago, transmitting the response of Mr. Pereira, the Chilean minister of foreign affairs to the note of Mr. Blaine of January 21, which was received by me on the 26th instant. The note of Mr. Montt to Mr. Blaine, though dated January 23, was not delivered at the State Department until after 12 o'clock, meridian, of the 25th, and was not translated and its receipt notified to me until late in the afternoon of that day.

The response of Mr. Pereira to our note of the 21st withdraws, with acceptable expressions of regret, the offensive note of Mr. Matta of the 11th ultimo, and also the request for the recall of Mr. Egan. The treatment of the incident or the assault upon the sailors of the *Baltimore* is so conciliatory and friendly that I am of

the opinion that there is a good prospect that the differences growing out of that serious affair can now be adjusted upon terms satisfactory to this Government, by the usual methods and without special powers from Congress. This turn in the affair is very gratifying to me, as I am sure it will be to the Congress and to our people. The general support of the efforts of the Executive to enforce the just rights of the nation in this matter has given an instructive and useful illustration of the unity and patriotism of our people.

Should it be necessary, I will again communicate with Congress upon the subject.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*January 28, 1892.*

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#### MINERS IN THE TERRITORIES.

*To the Senate and House of Representatives:*

There was passed by the last Congress "An act for the protection of the lives of the miners in the Territories," which was approved by me on the 3d day of March, 1891. That no appropriation was made to enable me to carry the act into effect resulted, I suppose, from the fact that it was passed so late in the session. This law recognizes the necessity of a responsible public inspection and supervision of the business of mining in the interest of the miners and is in line with the legislation of most of the States.

The work of the miner has its unavoidable incidents of discomfort and danger and these should not be increased by the neglect of the owners to provide every practicable safety appliance. Economies which involve a sacrifice of human life are intolerable.

I transmit herewith memorials from several hundred miners working in the coal mines in the Indian Territory, asking for the appointment of an inspector under the act referred to. The recent frightful disaster at Krebs, in that Territory, in which sixty-seven miners met a horrible death, gives urgency to their appeal, and I recommend that a special appropriation be at once made for the salaries and necessary expenses of the inspectors provided for in the law.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*February 16, 1892.*

THE CHOCTAW AND CHICKASAW APPROPRIATION.

*To the Senate and House of Representatives:*

The Indian appropriation bill, which was approved March 3, 1891, contains the following provision :

And the sum of two million nine hundred and ninety-one thousand four hundred and fifty dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to pay the Choctaw and Chickasaw nations of Indians for all the right, title, interest, and claim which said nations of Indians may have in and to certain lands now occupied by the Cheyenne and Arapahoe Indians under executive order; said lands lying south of the Canadian River, and now occupied by the said Cheyenne and Arapahoe Indians, said lands have been ceded in trust by article three of the treaty between the United States and said Choctaw and Chickasaw nations of Indians, which was concluded April twenty-eighth, eighteen hundred and sixty-six, and proclaimed on the tenth day of August of the same year, and whereof there remains, after deducting allotments as provided by said agreement, a residue ascertained by survey to contain two million three hundred and ninety-three thousand one hundred and sixty acres; three-fourths of this appropriation to be paid to such person or persons as are or shall be duly authorized by the laws of said Choctaw Nation to receive the same, at such time and in such sums as directed and required by the legislative authority of said Choctaw Nation, and one-fourth of this appropriation to be paid to such person or persons as are or shall be duly authorized by the laws of said Chickasaw Nation to receive the same, at such times and in such sums as directed and required by the legislative authority of said Chickasaw Nation; this appropriation to be immediately available and to become operative upon the execution, by the duly appointed delegates of said respective nations specially authorized thereto by law, of releases and conveyances to the United States of all the right, title, interest, and claim of said respective nations of Indians in and to said land (not including Grier County, which is now in dispute), in manner and form satisfactory to the President of the United States; and said releases and conveyances, when fully executed and delivered, shall operate to extinguish all claim of every kind and character of said Choctaw and Chickasaw nations of Indians in and to the tract of country to which said releases and conveyances shall apply.

If this section had been submitted to me as a separate measure, especially during the closing hours of the session, I should have disapproved it; but as the Congress was then in its last hours a disapproval of the general Indian appropriation bill of which it was a part would have resulted in consequences so far-reaching and disastrous that I felt it my duty to approve the bill. But as a duty was devolved upon me by the section quoted, viz: the acceptance and approval of the conveyances provided for, I have felt bound to look into the whole matter, and in view of the facts which I shall presently mention, to postpone any executive action until these facts could be submitted to Congress.

Very soon after the passage of the law it came to my knowledge that the Choctaw legislature had entered into an agreement with three citizens of that tribe to pay to them as compensation for

procuring this legislation 25 per cent of any appropriation that might be made by Congress. The amount to be secured by these three agents, under this agreement, out of the three-fourths interest in the appropriation of the Choctaw Nation, is \$560,896. I have information that a contract was made by the Chickasaws to pay about 10 per cent of their one-fourth interest to the agents and attorneys who represented them.

Within a month after the passage of the law, R. J. Ward, one of the agents who was to divide with his two associates the enormous sum to be paid by the Choctaws, presented to me an affidavit dated April 4, 1891, which is herewith submitted. It appears from this statement that the action of the Choctaw council in this matter was corruptly influenced by the execution of certain notes signed by Ward for himself and his associates in sums varying from \$2,500 to \$15,000. His associates deny any knowledge of this, but the giving and existence of these notes is not refuted. The statement of the two associates of Ward, denying any knowledge of or participation in this fraud, are also submitted, together with other papers relating to the matter. Whatever may be the fact as to the use or nonuse of corrupt methods to secure this legislation from the Choctaw council, I do not think the Congress of the United States should so legislate upon this matter as to give effect to such a contract, which I am sure must have been unnoticed when the measure was pending. If the relations of these Indians to the United States are those of a ward, Congress should protect them from such extortionate exactions. We can not assume that the expenses and services of a committee of three persons to represent this claim before Congress could justly assume such proportions. The making of such a contract seems to convey implications which, I am sure, are wholly unjust.

After the passage of the appropriation bill, legislation was had by the Choctaw Nation looking to the completion of the contract made with their delegates as to the payment of this money, but subsequently, when it was supposed that this extraordinary arrangement might require me to bring the matter to the attention of Congress, an act was passed by the Choctaw general council, approved October 19, 1891, declaring all contracts made by the Choctaw delegates with any attorneys in connection with this appropriation void and of no effect. A copy of this law will be found with the papers submitted. There has also been submitted to me an unofficial copy of the opinion of the attorney-general of the Choctaw Nation holding that this last legislation is unconstitutional and void. I am of the opinion that, if this appropriation is to

stand, provision should be made for protecting these tribes against extortionate claims for compensation in procuring action by Congress.

Copies of the several laws passed by the Choctaw Nation with reference to this matter will be found in the accompanying papers. It will be noticed that the distribution proposed is limited to Choctaws by blood, excluding the freedmen and the white men who have been given full citizenship from any participation. A protest against this method of distribution has been filed by a white citizen of the tribe, and also a representation by Hon. Thomas C. Fletcher, their attorney, on behalf of the freedmen. In view of the fact that the stipulations of the treaty of 1866, in behalf of the freedmen of these tribes, have not, especially in the case of the Chickasaws, been complied with, it would seem that the United States should, in a distribution of this money, have made suitable provision in their behalf. The Chickasaws have steadfastly refused to admit the freedmen to citizenship as they stipulated to do in the treaty referred to, and their condition in that tribe, and in a lesser degree in the other, strongly calls for the protective intervention of Congress.

After a somewhat careful examination of the question, I do not believe that the lands for which this money is to be paid were, to quote the language of section 15 of the Indian appropriation bill, already set out, "ceded in trust by article three of the treaty between the United States and said Choctaw and Chickasaw nations of Indians, which was concluded April 28, 1866," etc. It is agreed that that treaty contained no express limitation upon the uses to which the United States might put the territory known as the leased district. The lands were ceded by terms sufficiently comprehensive to have passed the full title of the Indians. The limitation upon the use to which the Government might put them is sought to be found in a provision of the treaty by which the United States undertook to exclude white settlers, and in the expressions found in the treaties made at the same time with the Creeks and other tribes of the purpose of the United States to use the lands ceded by those tribes for the settlement of friendly Indians.

The stipulation as to the exclusion of white settlers might well have reference solely to the national lands retained by the Choctaw and Chickasaw tribes, and the reason for the nonincorporation in the treaty with them of a statement of the purpose of the Government in connection with the use of the lands is well accounted for by the fact that as to these lands the Government had already, under the treaty of 1855, secured the right to use them perpetually for the

settlement of friendly Indians. This was not true as to the lands of the other tribes referred to. The United States paid to the Choctaws and Chickasaws \$300,000, and the failure to insert the words that are called words of limitation in this treaty, points, I think, clearly to the conclusion that the commissioners on the part of the Government, and the Indians themselves, must have understood that this Government was acquiring something more than a mere right to settle friendly Indians, which is already possessed, and something more than the mere release of the right which the Choctaws and Chickasaws had under the treaty of 1855 to select locations on these lands if they chose.

Undoubtedly it was the policy of this Government for the time to hold these and the adjacent lands as Indian country, and many of the expressions in the proclamations of my predecessors and in the reports of the Indian Bureau and of the Secretary of the Interior mean this and nothing more. This is quite different from a conditional title which limits the grant to a particular use and works a reinvestment of full title in the Indian grantors when that use ceases. But those who hold most strictly that a use for Indian purposes, where it is expressed, is a limitation of title seem to agree that the United States might pass a fee absolute to other Indian tribes in the lands ceded for their occupancy. Certainly it was not intended that in settling friendly Indians upon these lands the Government was to be restrained in its policy of allotment and individual ownership. If, for an adequate consideration by treaty, the United States placed upon these lands other Indian tribes, it was competent to give them patents in fee for a certain and agreed reservation. This being so, when the policy of allotment is put into force the compensation for the unused lands should certainly go to the occupying tribe, which, in the case supposed had paid a full consideration for the whole reservation.

It will hardly be contended that in such case this Government should pay twice for the lands. In the appropriation under discussion this principle is in part recognized, for no claim is made by the Choctaws and Chickasaws for the lands allotted to the Cheyennes and Arapahoes. The claim is for unallotted or surplus lands. The case of the Cheyennes and Arapahoes is this: In consideration of other lands the Government gave them a treaty reservation in the Cherokee Outlet, but never perfected it by paying the Cherokees the stipulated price and placing these Indians upon it. The Cheyennes and Arapahoes declined to go upon the strip and located themselves further south, where they now are. The Government subsequently recognized their right to remain there and set apart



the lands now being allotted to members of that tribe, and the lands for which payment is now claimed by the Choctaw and Chickasaws, as the Cheyenne and Arapahoe Reservation. I think the United States must be held to have assented to the substitution of these lands for the treaty lands in the Cherokee Strip, and that being true when the reservation is broken up, as now, by allotments, it would seem that the Cheyennes and Arapahoes were entitled to be compensated for these surplus lands. In fact, a commission which has been dealing with the tribes in the Indian Territory has concluded an arrangement with them by which the Government pays \$1,500,000 for these surplus lands and for the release of any claim to the Cherokee Strip, so that, in fact, in this agreement with the Cheyennes and Arapahoes, the Government has paid for the lands for which payment is now claimed by the Choctaws and Chickasaws.

It should not be forgotten, also, that the allotment to the Cheyennes and Arapahoes is still incomplete. The method of calculation which was resulted in stating the claim of the Choctaws and Chickasaws at \$2,991,450 is explained by a letter of Mr. J. S. Standley, one of the Choctaw delegates, dated April 6, 1891. The agent for the Cheyennes and Arapahoes wrote Mr. Standley that there were 600 Indians residing upon the lands south of the Canadian River, and who it was supposed would take allotments there, and upon this statement the legislation was based. Now, it must be borne in mind that the Cheyennes and Arapahoes have the right to locate anywhere within their reservation, and that instead of 600, double that number might have taken their allotments south of the Canadian River upon these lands. This is not probable, but a later report indicates that the number will certainly be in excess of 600. If the sum to be paid to the Choctaws and Chickasaws depended upon a knowledge of the number of acres of unallotted land south of the Canadian River, it would seem to have been reasonable that the appropriation should have been delayed until the exact number of acres taken for allotment had been officially ascertained. This has not yet been done.

It is right also, I think, that Congress in dealing with this matter should have the whole question before it; for the declaration of Indian title contained in this item of appropriation extends to a very large body of land and will involve very large future appropriations. The Choctaw and Chickasaw leased district, embracing the lands in the Indian Territory between the ninety-eighth and one-hundredth degrees of west longitude and extending north and south from the main Canadian River to the Red River, including Greer County, contains, according to the public surveys, 7,713,239 acres,

or, excluding Greer County, 6,201,663 acres. This leased district is occupied as follows: Greer County, by white citizens of Texas, 1,511,576 acres. The United States is now prosecuting a case in the courts to obtain a judicial declaration that this county is part of the Indian country. If a decision should be rendered in its favor, the claim of the Choctaws and Chickasaws to be paid for these lands at the rate named in this appropriation would at once be presented.

The Wichita Reservation is also upon the leased lands and is occupied by the Wichitas, Caddoes, Delawares, and remnants of other tribes, by Department orders made to depend upon the treaty with the Delawares in 1866 and some other unratified agreements with tribes or fragments of tribes in 1872. This reservation contains 743,610 acres.

The Kiowa, Comanche, and Apache Reservation is occupied by those Indians under a treaty proclaimed August 25, 1868, which provides that said district of country "shall be, and the same is hereby, set apart for the absolute and undisturbed use and occupation of the tribes herein named, and for such friendly tribes or individual Indians as from time to time they may be willing (with the consent of the United States) to admit among them." This reservation contains 2,968,893 acres.

The Cheyennes and Arapahoes, whose surplus lands are to be paid for by this appropriation, have occupied the country between the Washita and Canadian rivers extending west to the one hundredth degree of longitude. This reservation contains 2,489,160 acres.

I have stated these facts in order that it may be seen what further appropriations are involved in a settlement for all these lands upon the basis which Congress has adopted. It does not seem to me to be a wise policy to deal with this question piecemeal. It would have been better, if a remnant of title remains in the Choctaws and Chickasaws to the lands in the leased district, to have settled the whole matter at once. Under the treaty of 1855 the Choctaws and Chickasaws quitclaimed any supposed interest of theirs in the lands west of the one hundredth degree. The boundary between the Louisiana purchase and the Spanish possessions by our treaty of 1819 with Spain was, as to these lands, fixed upon the one hundredth degree of west longitude.

Our treaty with the Choctaws and Chickasaws, made in 1820, extended their grant to the limit of our possessions. It followed, of course, that these lands were included within the boundaries of the State of Texas when that State was admitted to the Union, and the

release of the Choctaws and Chickasaws, whatever it was worth, operated for the benefit of the State of Texas and not of the United States. The lands became public lands of that State. For the release of this claim and for the lease of the lands west of the ninety-eighth degree the Government of the United States paid the sum of \$800,000. In the calculations which have been made to arrive at the basis of the appropriation under discussion, no part of this sum is treated as having been paid for the lease. I do not think that is just to the United States. It seems probable that a very considerable part of this consideration must have related to the leased lands, because these were the lands in which the Indian title was recognized and the treaty gave to the United States a permanent right of occupation by friendly Indians. The sum of \$300,000, paid under the treaty of 1866, is deducted, as I understand, in arriving at the sum appropriated. It seems to me that a considerable proportion of the sum of \$800,000 previously paid should have been deducted in the same manner.

I have felt it to be my duty to bring these matters to the attention of Congress for such action as may be thought advisable.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*February 17, 1892.*

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#### THE COLUMBIAN EXPOSITION.

##### *To the Senate and House of Representatives:*

I transmit herewith for the information of Congress the annual report of the World's Columbian Commission, a supplementary report of the same commission, submitted February 16, 1892, the report of the board appointed by me under section 16 of the act of April 25, 1890, to have charge of the exhibit to be made by the Executive Departments, the Smithsonian Institution, the Fish Commission, and the National Museum, and the report of the Board of Lady Managers provided for by section 6 of the act referred to.

The information furnished by these reports as to the progress of the work is not only satisfactory but highly gratifying. The plan and scope adopted, and the site and buildings selected and now being erected, are fully commensurate with the national and international character of the enterprise contemplated by the legislation of Congress. The Illinois corporation has fully complied with the condition of the law that \$10,000,000 should be provided, and the

Government Commission reports that "The grounds and buildings will be the most extensive, adequate, and ornate ever devoted to such purposes." It seems, however, that from \$5,000,000 to \$8,000,000 more will, in the opinion of the local board and the National Commission, be necessary to prepare the Exposition for a complete and successful inauguration.

It will be noticed from the reports that it was first proposed by the local commission to ask of Congress a loan of \$5,000,000, to be repaid from receipts, and that the National Commission approved this suggestion. Subsequently the Illinois Exposition Corporation reconsidered its action and determined to ask a subscription of \$5,000,000. The supplementary report of the National Commission seems to approve this amended proposition. I have not myself that detailed information as to the financial necessities of the enterprise which would enable me to form an independent judgment of the additional amount necessary, and am not therefore prepared to make any specific recommendation to Congress upon the subject. The committees of Congress having this matter in charge will undoubtedly obtain full and accurate information before final action.

The Exposition, notwithstanding the limitations which the act contains, is an enterprise to which the United States is so far committed that Congress ought not, I think, to withhold just and reasonable further support, if the local corporation consents to proper conditions.

Liberality on the part of the United States is due to the foreign nations that have responded in a friendly way to the invitation of this Government to participate in the Exposition and will, I am sure, meet the approval of our people. The Exposition will be one of the most illustrious incidents in our civic history.

I transmit also certain resolutions adopted by representatives of the National Guards of the various States, appointed by the governors to attend a convention which was held in Chicago on the 27th of October, 1891, with a view to consider the subject of holding a military encampment at Chicago during the Exposition.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*February 24, 1892.*

APPROPRIATION FOR THE GRAND ARMY OF THE  
REPUBLIC.

*To the Senate and House of Representatives :*

I transmit herewith a communication from the Board of Commissioners of the District of Columbia, accompanied by a letter from the chairman of the executive committee organized by the citizens of Washington for the reception and entertainment of the Twenty-sixth Annual Encampment of the Grand Army of the Republic, which is to be held in Washington during September next. An appeal is made for an appropriation by Congress of \$100,000, one-half to be paid out of the District revenues, to aid in defraying the expenses attending this reception.

The event is one of very high and, as I believe, of national interest, and the attendance of the surviving Union soldiers will, I do not doubt, be larger than at any annual encampment that has ever been held. The public authorities of the cities or States, or both, in which the encampments have been held have, I believe, usually appropriated liberally to make the occasions worthy and the entertainment hospitable. The parade of the survivors of our great armies upon Pennsylvania avenue will bring vividly back to us those joyful and momentous days when the great victorious armies of the East and of the West marched through the streets of Washington in high parade and were received by our citizens with joyful acclaim. It seems to me that it will be highly appropriate for Congress suitably to aid in making this demonstration impressive, and in extending to those soldiers whose lives a beneficent Providence has prolonged an opportunity to see in the security and peace, development and prosperity, which now so happily pervade the national capital, the fruits of their sacrifice and valor.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*March 24, 1892.*

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INTERNATIONAL SILVER CONFERENCE.

*To the Senate:*

I have received the resolution of the Senate of April 23, requesting that, if not incompatible with the public interest, I inform the Senate what steps have been taken towards the securing of an international conference to consider the question of the free coinage of silver at

the mints of the nations participating in such conference, or as to the enlarged use of silver in the currency system of said countries, and that I transmit to the Senate any correspondence between the United States and other governments upon the subject, and in response thereto, beg respectfully to inform the Senate that in my opinion it would not be compatible with the public interest to lay before the Senate at this time the information requested; but that at the earliest moment after definite information can properly be given, all the facts and any correspondence that may take place will be submitted to Congress.

It may not be inappropriate, however, to say here that, believing that the full use of silver as a coin metal upon an agreed ratio by the great commercial nations of the world would very highly promote the prosperity of all their people, I have not and will not let any favorable opportunity pass for the promotion of that most desirable result, or if free international silver coinage is not presently attainable, then to secure the largest practicable use of that metal.

BENJ. HARRISON.

EXECUTIVE MANSION,

*April 26, 1892.*

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THE CULLUM MEMORIAL HALL, WEST POINT.

*To the Senate and House of Representatives:*

I transmit herewith a communication of the Secretary of War, dated May 24, from which and from the accompanying papers it appears that the late Gen. George W. Cullum, of the U. S. Army, has by will devised \$250,000 to the Government of the United States for the erection of a memorial hall upon the grounds of the Military Academy at West Point, to be used as a "receptacle of statues, busts, mural tablets, and portraits of distinguished deceased officers and graduates of the Military Academy, of paintings of battle scenes, trophies of war, and such other objects as may tend to give elevation to the military profession."

This ample and patriotic gift is hampered by no conditions and involves no appropriation beyond the sum so generously donated.

The executors, in order to facilitate action, have prepared, and the same is herewith submitted, the outline of a bill to carry into effect the provisions of General Cullum's will.

There can be no occasion to urge upon Congress the immediate enactment of a suitable law to carry into effect the patriotic purpose expressed in the will.

I suggest that in the bill itself, or by a separate joint resolution, suitable expression be given of the public appreciation of this crowning service to the military profession and to his country, rendered by General Cullum.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*May 25, 1892.*

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#### RECIPROCAL TRADE WITH CANADA.

*To the Senate of the United States:*

The following resolution was passed by the Senate on the 24th day of February last:

*Resolved,* That the President be requested, if in his opinion not incompatible with the public interests, to inform the Senate of the proceedings recently had with the representatives of the Dominion of Canada and of the British Government as to arrangements for reciprocal trade between Canada and the United States.

In response thereto I now submit the following information:

On the 15th day of April last the Secretary of State submitted to me a report, which is herewith transmitted. Shortly after the report came into my possession I was advised by the Secretary that the British minister at this capital had informed him that the Canadian Government desired a further conference on the subject of the discriminating canal tolls of which this country had complained. This information was accompanied by the suggestion that a response to the resolution of the Senate might properly be delayed until this further conference was held.

On the 3d instant the British minister, in connection with Hon. MacKenzie Bowell and Hon. George E. Foster, members of the Canadian ministry, were received by the Secretary of State, and a further conference took place. In both of the conferences referred to, Hon. John W. Foster, at the request of the Secretary of State, appeared with him on behalf of this Government, and the report of the latter conference was submitted to me on the 6th instant by Mr. Foster, and is herewith transmitted. The result of the conference, as to the practicability of arranging a reciprocity treaty with the Dominion of Canada, is clearly stated in the letter of Mr. Blaine, and was anticipated, I think, by him and by every other thoughtful American who had considered the subject. A reciprocity treaty, limited to the exchange of natural products, would have been such only in form. The benefits of such a treaty would have inured almost wholly to Canada. Previous experiments on this

line had been unsatisfactory to this Government. A treaty that should be reciprocal in fact, and of mutual advantage, must necessarily have embraced an important list of manufactured articles, and have secured to the United States a free or favored introduction of these articles into Canada as against the world; but it was not believed that the Canadian ministry was ready to propose or assent to such an arrangement. The conclusion of the Canadian commissioners is stated in the report of Mr. Blaine as follows:

In the second place, it seemed to be impossible for the Canadian Government, in view of its present political relations and obligations, to extend to American goods a preferential treatment over those of other countries. As Canada was a part of the British Empire, they did not consider it competent for the Dominion Government to enter into any commercial arrangement with the United States, from the benefits of which Great Britain and its colonies should be excluded.

It is not for this Government to argue against this announcement of Canadian official opinion. It must be accepted, however, I think, as the statement of a condition which places an insuperable barrier in the way of the attainment of that large and beneficial intercourse and reciprocal trade which might otherwise be developed between the United States and the Dominion.

It will be noticed that Mr. Blaine reports as one of the results of the conference "an informal engagement to repeal and abandon the drawback of 18 cents a ton given to wheat (grain) that is carried through to Montreal and shipped therefrom to Europe. By the American railways running from Ogdensburg and Oswego and other American ports the shippers paid the full 20 cents a ton, while in effect those by the way of Montreal pay only 2 cents. It was understood that the Canadian commissioners, who were all three members of the cabinet, would see to the withdrawal of this discrimination."

From the report of the recent conference, by Mr. Foster, it will be seen that the Canadian commissioners declare that this statement does not conform to their understanding, and that the only assurance they had intended to give was that the complaint of the Government of the United States should be taken into consideration by the Canadian ministry on their return to Ottawa. Mr. Foster, who was present at the first conference, confirms the statements of Mr. Blaine. While this misunderstanding is unfortunate, the more serious phase of the situation is that, instead of rescinding the discriminating canal tolls of which this Government complains, the Canadian ministry, after the return of the commissioners from their visit to Washington, on April 4, reissued, without any communication with this Government, the order continuing the discrimination, by which a



rebate of 18 cents a ton is allowed upon grain going to Montreal but not to American ports, and refusing this rebate even to grain going to Montreal if transshipped at any American port.

The report of Mr. Partridge, the solicitor of the Department of State, which accompanies the letter of the Secretary of State, states these discriminations very clearly. That these orders as to canal tolls and rebates are in direct violation of article 27 of the treaty of 1871 seem to be clear. It is wholly evasive to say that there is no discrimination between Canadian and American vessels; that the rebate is allowed to both without favor, upon grain carried through to Montreal, or transshipped at a Canadian port to Montreal. The treaty runs:

To secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the Dominion on terms of equality with the inhabitants of the Dominion.

It was intended to give to consumers in the United States, to our people engaged in railroad transportation, and to those exporting from our ports equal terms in passing their merchandise through these canals. This absolute equality of treatment was the consideration for concessions on the part of this Government made in the same article of the treaty, and which have been faithfully kept. It is a matter of regret that the Canadian Government has not responded promptly to our request for the removal of these discriminating tolls.

The papers submitted show how serious the loss inflicted is upon our lake vessels and upon some of our lake ports. In view of the fact that the Canadian commissioners still contest with us the claim that these tolls are discriminating, and insist that they constitute no violation of the letter or spirit of article 27 of the treaty, it would seem appropriate that Congress, if the view held by the Executive is approved, should, with deliberation and yet with promptness, take such steps as may be necessary to secure the just rights of our citizens.

In view of the delays which have already taken place in transmitting this correspondence to Congress, I have not felt justified in awaiting the further communication from the Government of Canada which was suggested in the recent conference.

Should any proposition relating to this matter be received, it will be immediately submitted for the consideration of the Senate; and, if forwarded within the time suggested, will undoubtedly anticipate any final action by Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,

*June 20, 1892.*

ADDITIONAL MESSAGE.

*To the Senate :*

For the information of the Senate, and in further response to the resolution of the Senate of February 24th last, I transmit herewith a communication of the 24th instant from Mr. Herbert, the acting representative of the British Government at this capital, addressed to Mr. Wharton, acting Secretary of State, upon the subject of the Canadian canal tolls; also a memorandum prepared and submitted to me by Mr. Adee, Second Assistant Secretary of State, reviewing the communication of Mr. Herbert, and a letter of the 28th instant from Mr. John W. Foster, who, as I have previously stated, with Mr. Blaine represented this Government in the conferences with the Canadian commissioners.

The position taken by this Government, as expressed in my previous communication to the Senate, that the canal tolls and regulations of which complaint has been made are in violation of our treaty with Great Britain, is not shaken but rather confirmed. There can be no doubt that a serious discrimination against our citizens and our commerce exists, and quite as little doubt that this discrimination is not the incident but the purpose of Canadian regulations.

It has not seemed to me that this was a case in which we could yield to the suggestion of further concessions on the part of the United States with a view to securing treaty rights for which a consideration has already been given.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*July 1, 1892.*

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RAILWAY TRANSPORTATION THROUGH CANADA.

*To the Senate and House of Representatives :*

On the 23d of July last the following resolution of the House of Representatives was communicated to me :

*Resolved,* That the President be requested to inform the House, if not incompatible with the public interests, what regulations are now in force concerning the transportation of imported merchandise in bond or duty paid or products or manufactures of the United States from one port in the United States over Canadian territory to another port therein, under the provisions of section 3006 of the Revised Statutes; whether further legislation thereon is necessary or advisable, and especially whether a careful inspection of such merchandise should not be had at the frontiers of the United States upon the departure and arrival of such merchandise, and whether the interests of the United States do not require that each car containing such merchandise, while in Canadian territory, be in the custody and under the surveillance to be paid by the foreign carrier transporting such merchandise.

The resolution is limited in its scope to the subject of the transit of merchandise from one port in the United States through Canadian territory, to another port in the United States under the provision of section 3006 of the Revised Statutes; but I have concluded that a review of our treaty obligations, if any, and of our legislation upon the whole subject of the transit of goods from, to, or through Canada is desirable, and therefore address this message to the Congress.

It should be known, before new legislation is proposed, whether the United States is under any treaty obligations which affect this subject growing out of the provisions of article 29 of the treaty of Washington. That article is as follows :

It is agreed that, for the term of years mentioned in Article xxxiii of this treaty, goods, wares, or merchandise arriving at the ports of New York, Boston, and Portland, and any other ports in the United States which have been or may, from time to time, be especially designated by the President of the United States, and destined for Her Britannic Majesty's possessions in North America, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the territory of the United States, under such rules, regulations, and conditions for the protection of the revenue as the Government of the United States may from time to time prescribe; and under like rules, regulations, and conditions, goods, wares, or merchandise may be conveyed in transit, without the payment of duties, from such possessions through the territory of the United States for export from the said ports of the United States.

It is further agreed that, for the like period, goods, wares, or merchandise arriving at any of the ports of Her Britannic Majesty's possessions in North America and destined for the United States may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the said possessions, under such rules and regulations, and conditions for the protection of the revenue, as the governments of the said possessions may from time to time prescribe; and under like rules, regulations, and conditions, goods, wares, or merchandise may be conveyed in transit, without payment of duties, from the United States through the said possessions to other places in the United States, or for export from ports in the said possessions.

It will be noticed that provision is here made—

First. For the transit in bond, without the payment of duties, of goods arriving at specified ports of the United States, and at others to be designated by the President, destined for Canada.

Second. For the transit from Canada to ports of the United States without the payment of duties of merchandise for export.

Third. For the transit of merchandise arriving at Canadian ports, destined for the United States, through Canadian territory, to the United States, without the payment of duties to the Dominion Government.

Fourth. For the transit of merchandise from the United States to Canadian ports for export, without the payment of duties;

Fifth. For the transit of merchandise, without the payment of duties, from the United States, through Canada, to other places in the United States.

The first and second of these provisions were concessions by the United States, and were made subject to "such rules, regulations, and conditions for the protection of the revenue as the Government of the United States may from time to time prescribe." The third, fourth, and fifth provisions of the article are concessions on the part of the Dominion of Canada, and are made subject "to such rules, regulations, and conditions for the protection of the revenue as the government of the said possessions may from time to time prescribe." The first and second and the third and fourth of these provisions are reciprocal in their nature. The fifth, which provides for the transit of merchandise from one point in the United States, through Canada, to another point in the United States is not met by a reciprocal provision for the passage of Canadian goods from one point in Canada to another point in Canada through the United States. If this article of the treaty is in force the obligations assumed by the United States should be fully and honorably observed until such time as this Government shall free itself from them by methods provided in the treaty or recognized by international law. It is, however, no part of the obligation resting upon the United States under the treaty that it will use the concessions made to it by Canada. This Government would undoubtedly meet its full duty by yielding in an ample manner the concessions made by it to Canada. There could be no just cause for complaint by Great Britain or Canada if the compensating concession to the United States should not be exercised. We have not stipulated in the treaty that we will permit merchandise to be moved through Canadian territory from one point of the United States to another at the will of the shipper; the stipulation is on the part of Canada that it will permit such merchandise to enter its territory from the United States, to pass through it, and to return to the United States without the exaction of duties and without other burdens than such as may be necessary to protect its revenues.

The questions whether we shall continue to allow merchandise to pass from one point in the United States through Canadian territory to another point in the United States, and if so to what exactions and examinations it shall be subjected on reëntering our territory, are wholly within the power of Congress, without reference to the question whether article 29 is or is not in force.

The treaty of Washington embraced a number of absolutely independent subjects. Its purpose, as recited, was "to provide for an amicable settlement of all causes of difference between the two countries." It provided for four distinct arbitrations of unsettled questions, including the Alabama claims, for a temporary settle-

ment of the questions growing out of the fisheries, and for various arrangements affecting commerce and intercourse between the United States and the British North American possessions. Some of its provisions were made terminable by methods pointed out in the treaty. Articles 1 to 17, inclusive, provide for the settlement of the Alabama claims and of the claims of British subjects against the United States, and have been fully executed. Articles 18 to 25, inclusive, relate to the subject of the fisheries and provide for a joint commission to determine what indemnity should be paid to Great Britain for the fishing privileges conceded. These articles have been terminated by the notice provided for in the treaty.

Article 26 provides for the free navigation of the St. Lawrence, Takon, Porcupine, and Stickeen rivers. Article 27 provides for the equal use of certain frontier canals and waterways, and contains no provision for termination upon notice. Article 28 opens Lake Michigan to the commerce of British subjects, under proper regulations, and contains a provision for its abrogation, to which reference will presently be made. Article 30 provides for certain privileges of transshipment on the lakes and northern waterways and contains the same provision as article 29 as to the method by which it may be terminated. Article 31 provides for the nonimposition of a Canadian export duty on lumber cut in certain districts in Maine and floated to the sea by the St. Johns River, and contains no limitation as to the time and no provision for its abrogation. Article 32 extended to Newfoundland, in the event of proper legislation by that province, the fishery provisions of articles 18 to 25, and was, of course, abrogated with those articles. Article 33, which provides a method for the abrogation of certain articles of the treaty, I will presently quote at length. The remaining articles of the treaty, namely, 35 to 42, provide for the arbitration of the dispute as to the Vancouver Island and De Haro Channel boundary, and have been fully executed. Articles 18, 19, 21, 28, 29, and 30 each contain a provision limiting their life to "the term of years mentioned in article 33 of this treaty." The articles between 18 and 30, inclusive, which do not contain this provision, are those that provide for an arbitration of the fishery question, which were, of course, terminable by the completion of the arbitration, article 26 relating to the navigation of the St. Lawrence and other rivers, and article 27 relating to the use of the canals. The question whether article 29 is still in force depends, so far as the construction of the treaty goes, upon the meaning of the words "the term of years mentioned in article 33." That article is as follows:

The foregoing Articles XVIII to XXV, inclusive, and Article XXX of this treaty shall take effect as soon as the laws required to carry them into operation shall have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada, and by the legislature of Prince Edward's Island on the one hand, and by the Congress of the United States on the other. Such assent having been given, the said articles shall remain in force for the period of ten years from the date at which they may come into operation; and further until the expiration of two years after either of the high contracting parties shall have given notice to the other of its wish to terminate the same; each of the high contracting parties being at liberty to give such notice to the other at the end of the said period of ten years or at any time afterward.

The question of construction here presented is, whether the reference to "the term of years mentioned in article 33" is to be construed as limiting the continuance of article 29 to the duration of articles 18 to 25 and 30, in such a way that the abrogation of those articles necessarily carried with it the other articles of the treaty which contained the reference to article 33 already quoted, or whether the reference to this "term of years" in articles 28 and 29 was intended to provide a method of abrogation after ten years from the time of their taking effect, viz, a notice of two years of an intention to abrogate. The language of the treaty, considered alone, might support the conclusion that article 33 was intended to provide a uniform method of abrogation for certain other articles. It will be noticed that the treaty does not expressly call for legislation to put article 29 into operation. Senator Edmunds, in the discussion in the Senate of the joint resolution terminating the fisheries article, took the view that no legislation was necessary. It seems to me, however, that such legislation was necessary, and Congress acted upon this view in the law of 1873, to which reference will presently be made. An examination of the discussion between the plenipotentiaries who framed the treaty furnishes this entry which President Cleveland thought to be conclusive of the intention of the plenipotentiaries, viz:

The transit question was discussed and it was agreed that any settlement that might be made should include a reciprocal arrangement in that respect for the period for which the fishery articles should be in force.

On March 1, 1873, Congress passed an act entitled "An act to carry into effect the provisions of the treaty between the United States and Great Britain, signed in the city of Washington the 8th day of May, 1871, relating to the fisheries." The act consisted of five sections, the first and second of which provided for carrying into effect the provisions of the treaty "relating to the fisheries." The fourth section provided for carrying into effect section 30 of the treaty. These three sections furnished the legislation contemplated by article 33 of the treaty to carry into effect articles 18 to

25 and 30. The act, however, went further, as will be seen by an examination of section 3, which is as follows:

That from the date of the President's proclamation authorized by the first section of this act, and so long as the articles eighteenth to twenty-fifth, inclusive, and article thirtieth of said treaty, shall remain in force, according to the terms and conditions of article thirty-third of said treaty, all goods, wares or merchandise arriving at the ports of New York, Boston, and Portland, and any other ports in the United States which have been, or may, from time to time, be specially designated by the President of the United States and destined for Her Britannic Majesty's possessions in North America, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the territory of the United States, under such rules, regulations, and conditions for the protection of the revenue as the Secretary of the Treasury may, from time to time, prescribe; and, under like rules, regulations, and conditions, goods, wares, or merchandise, may be conveyed in transit, without the payment of duties, for such possessions, through the territory of the United States, for export from the said ports in the United States.

It will be noticed that provision is here made for carrying into effect the two provisions of article 29, which I have already characterized as the concessions on the part of the United States, namely, the passage, duty free, from certain designated ports of the United States to Canada of imported goods and the passage, duty free, to ports of the United States of Canadian goods for export. Section 3 of the law of 1873, which I have quoted, however, contains a legislative construction of article 29 of the treaty, in the limitation that the provisions therein contained as to the transit of goods should continue in force only so long as articles 18 to 25, inclusive, and 30 of the treaty should remain in force.

On March 3, 1883, Congress passed a joint resolution entitled as follows: "Joint resolution providing for the termination of articles numbered 18 to 25, inclusive, and article numbered 30 of the treaty between the United States and Her Britannic Majesty, concluded at Washington May 8, 1871."

The resolution provided for the giving of notice of the abrogation of the articles of the treaty named in the title and of no others. Section 3 contained the following provision:

And the act of Congress approved March 1, anno Domini, 1873, entitled etc., so far as it relates to the articles of said treaty so to be terminated, shall be and stand repealed and of no force on and after the time of the expiration of said two years.

An examination of the debates at the time of the passage of this joint resolution very clearly shows that Congress made an attempt to save article 29 of the treaty and section 3 of the act of 1873. In the Senate, on the 29th of February, 1883, the resolution being under consideration, several Senators, including Mr. Edmunds, the chairman of the Judiciary Committee, expressed the opinion that article 29 would not be affected by the abrogation of articles 18 to

25 and 30, and an amendment was made to the resolution with a view to leave section 3 of the act of 1873 in force. The same view was taken in the debates in the House.

The subject again came before Congress in connection with the consideration of a bill (S. 3173) to authorize the President of the United States to protect and defend the rights of American fishing vessels, American fishermen, American trading and other vessels, in certain cases, and for other purposes."

In the course of the debate upon the bill in the Senate, January 24, 1887, and in the House February 23, following, the prevailing opinion was, though not without some dissent, that article 29 was still in force.

On the 6th day of July, 1887, in response to an inquiry by the Secretary of the Treasury, Mr. Bayard wrote a letter, a copy of which accompanies this message, in which he expresses the opinion that article 29 of the treaty was unaffected by the abrogation of the fisheries articles and was still in force. In August, 1888, however, Mr. Cleveland, in a message to Congress, expressed his opinion of the question in the following language.

In any event, and whether the law of 1873 construes the treaty or governs it, section 29 of such treaty, I have no doubt, terminated with the proceedings taken by our Government to terminate articles 18 to 25 inclusive, and article 30 of the treaty.  
\* \* \* If by any language used in the joint resolution it was intended to relieve section 3 of the act of 1873, embodying article 29 of the treaty, from its own limitations or to save the article itself, I am entirely satisfied that the intention miscarried.

I have asked the opinion of the Attorney-General upon this question, and his answer accompanies this message. He is of the opinion that article 29 has been abrogated.

It should be added that the United States has continuously, through the Treasury Department, conducted our trade intercourse with Canada as if article 29 of the treaty and section 3 of the act of 1873 remained in force, and that Canada has continued to yield in practice the concessions made by her in that article. No change in our Treasury methods was made following Mr. Cleveland's message from which I have quoted. I am inclined to think that, using the aids which the protocol and the nearly contemporaneous legislation by Congress in the act of 1873 furnish in construing the treaty, the better opinion is that article 29 of the treaty is no longer operative. The enactment of section 3 of the act of 1873 was a clear declaration that legislation was necessary to put article 29 of the treaty into operation, and that under the treaty our obligation to provide such legislation terminated whenever articles 18 to 25 and 30 should be abrogated. This legislation was accepted by Great Britain as a



compliance with our obligations under the treaty. No objection was made that our statute treated article 29 as having force only so long as the other articles named were in force.

But the question whether article 29 is in force has less practical importance than has been supposed; for it does not, if in force, place any restraints upon the United States as to the method of dealing with imported merchandise destined for the United States arriving at a Canadian port for transportation to the United States, or of merchandise passing through Canadian territory from one place in the United States to another. It would be no infraction, either of the letter or of the spirit of the treaty, if we should stop, unload, and carefully inspect every vehicle arriving at our border with such merchandise. Nor, on the other hand, would Canada violate her obligations under the treaty by a like treatment of merchandise imported through the port of New York on its arrival in Canada. Neither Government has placed itself under any restraint as to merchandise intended for the use of its own people when such merchandise comes within its own territory. The question, therefore, as to how we shall deal with merchandise imported by our own people through a Canadian port, and with merchandise passing from one place in the United States to another through Canadian territory, is wholly one of domestic policy and law.

I turn now to consider the legislation of Congress upon this subject, upon which, as it seems to me, the duties of the Treasury and the rights of our people as to those phases of the transportation question to which I have just alluded wholly depend. Sections 3005 and 3006 of the Revised Statutes, which are taken from the act of July 28, 1866, entitled "An act to protect the revenue, and for other purposes" (14 Stat. L., 328), are as follows:

SEC. 3005. All merchandise arriving at the ports of New York, Boston, Portland in Maine, or any other port specially designated by the Secretary of the Treasury, and destined for places in the adjacent British provinces, or arriving at the port of (Point Isabel) (Brownville) in Texas, or any other port specially designated by the Secretary of the Treasury, and destined for places in the Republic of Mexico, may be entered at the custom-house, and conveyed, in transit, through the territory of the United States, without the payment of duties, under such regulations as the Secretary of the Treasury may prescribe.

SEC. 3006. Imported merchandise in bond, or duty paid, and products or manufactures of the United States, may, with the consent of the proper authorities of the British provinces or Republic of Mexico, be transported from one port in the United States to another port therein, over the territory of such provinces or Republic, by such routes, and under such rules, regulations and conditions as the Secretary of the Treasury may prescribe, and the merchandise so transported shall, upon arrival in the United States from such provinces or Republic, be treated in regard to the liability to or exemption from duty, or tax, as if the transportation had taken place entirely within the limits of the United States.

Section 3102 of the Revised Statutes is also related to this subject and is as follows:

To avoid the inspection at the first port of arrival, the owner, agent, master, or conductor of any such vessel, car, or other vehicle, or owner, agent, or other person having charge of any such merchandise, baggage, effects, or other articles, may apply to any officer of the United States duly authorized to act in the premises, to seal or close the same, under and according to the regulations hereinafter authorized, previous to their importation into the United States; which officer shall seal or close the same accordingly; whereupon the same may proceed to their port of destination without further inspection. Every such vessel, car, or other vehicle, shall proceed, without unnecessary delay, to the port of its destination, as named in the manifest of its cargo, freight, or contents, and be there inspected. Nothing contained in this section shall be construed to exempt such vessel, car, or vehicle, or its contents, from such examination as may be necessary and proper to prevent frauds upon the revenue and violations of this title.

It will be noticed that section 3005 does not provide for the transit of merchandise through our territory from Canada to ports of the United States for export, nor have I been able to find any other law now in force that does provide for such transit. It would seem, therefore, that, as to this concession made by the United States in article 29 of the treaty, legislation to put it into force was necessary and that there is no such legislation, unless section 3 of the act of 1873 was saved by the amendment to the joint resolution abrogating the fisheries articles and article 30, limiting the repeal to so much of said act as "relates to the articles of said treaty so to be terminated." The joint resolution certainly did not repeal section 3, and if that section has ceased to be operative it is by virtue of the limitation contained in the section itself. I think it did expire by its own express limitation.

The question has presented itself whether section 3 of the act of 1873 (R. S. 2866) repealed by implication that section of the act of July, 1866, which is now section 3005 of the Revised Statutes; but I am of the opinion that the last-named section was not repealed. Section 3 of the act of 1873 was expressly intended to carry into effect a treaty obligation and was limited as to time. It contained no express repeal of the act of 1866; and, while its provisions were broader than the last-named act, they were not inconsistent, save in the provision that while the act of 1873 was in force the additional ports in the United States at which Canadian goods might be received were to be designated by the President, whereas under the act of 1866 the designation was by the Secretary of the Treasury. The last-named act related also to intercourse with Mexico and I think was unaffected by the act of 1873.

It will be seen that the law permits merchandise arriving at the ports of New York, Boston, Portland in Maine, and at other ports

specially designated by the Secretary of the Treasury, for places in the adjacent British provinces, to be entered at the custom-house of the port where it is landed and conveyed through the territory of the United States without the payment of duty, under regulations to be prescribed by the Secretary of the Treasury. As these goods come immediately and fully under the inspection of our customs officers at the principal ports, are entered there and remain until they cross our border into Canada, fully under our supervision, there is little or no danger involved to our revenue. The regulations prescribed by the Treasury for conducting this traffic seem to me to be adequate.

As to merchandise imported into the United States from a contiguous foreign country, it is provided by section 3102 that the inspection at the first port of arrival in the United States may be avoided if the vehicle in which the same arrives has been sealed or closed by some officer of the United States duly authorized at some point in the contiguous country. When the act of closing or sealing conformably to the regulations of the Treasury has been effected the car or other vehicle may proceed without unnecessary delay to the port of its destination, as named in the manifest of its cargo, freight or contents, and be there inspected. This privilege, however, is subject to such examination at the point of entry to the United States as may be necessary to prevent fraud. It is important to be noticed that the merchandise to which this section refers is described in section 3100 as merchandise, etc., "imported into the United States from any contiguous foreign country." A practice has grown up, and a traffic of considerable dimensions under it, of allowing merchandise from China and Japan, purchased and imported from those countries by our own citizens, and landed at ports in the Dominion of Canada to be there loaded into cars which, being sealed by an officer of the United States or some one supposed to represent him, are forwarded through the territory of Canada across the entire continent, and allowed to cross our frontier without other inspection than an examination of the seals. The real fact is that the American consul can not and does not either compare the manifest with the contents of the cars or attach the seals. The agents of the transportation companies are furnished by the consul with the seals and place them upon the cars. The practice of sealing such merchandise, notwithstanding it has been allowed by the Treasury for some years, I think is unauthorized. Such merchandise is not imported from a "contiguous country," but from China or Japan.

It has never become subject to the Canadian revenue laws as an

importation from Japan to Canada, but by force of the treaty or by the courtesy of that Government has been treated as subject to the revenue laws of the United States from the time of landing at the Canadian port. Our Treasury seal has been placed upon it; Canada only gives it passage. It is no more an importation from Canada than is a train load of wheat that starts from Detroit and is transported through Canada to another port of the United States. Section 3102 was enacted in 1864, two years before sections 3005 and 3006, and could not have had reference to the later methods of importing merchandise through one country to the other.

The practice to which I have referred not only equalizes the advantages of Canadian seaports with our own in the importation of goods for our domestic consumption, but makes the Canadian ports favored ports of entry. The detentions under this system at the Canadian ports are less than when the merchandise is landed at a port of the United States to be forwarded in bond to another port therein. Full effect should be given to section 3102 as to merchandise imported into the United States from Canada, so far as the appropriations enable the Treasury to provide the officers to do the work of closing and sealing. It will, however, be required that all this kind of work be done, and carefully done, by an officer of the United States, and that the duty shall in no case be delegated to the employés of the transportation companies. The considerations that it is quite doubtful whether a fraud committed in Canada by one of our agents upon our revenue would be punishable in our courts, and that such a fraud committed by anyone else certainly would not be, and that, even if such acts are made penal by our statutes, the criminal would be secure against extradition seem to me to be conclusive against the policy of attempting to maintain such revenue agents in Canadian territory.

I come now to discuss another element of this international traffic, namely, the transportation of merchandise from one "port" in the United States to another "port" therein, over the territory of Canada. This traffic is enormous in its dimensions and very great interests have grown up in the United States in connection with it. Section 3006 authorizes this traffic, subject to "such rules, regulations and conditions as the Secretary of the Treasury may prescribe." But the important limitation is from "port" to "port." Section 3007 of the Revised Statutes, which exempts sealed cars from certain fees, preserves the terms of the preceding section, from "port" to "port." It seems to me that sections 3006 and 3007 contemplate the delivery of sealed cars at a "port" of the United States, there to be examined by a revenue officer, and their contents verified.

But in practice the car, if the seal is found at the border to be intact, is passed to places not "ports" and is opened and unloaded by the consignee, no officer being present. The bill or manifest accompanying the merchandise and the unbroken seal on the car may furnish prima facie evidence that the amount and kind of merchandise named in the manifest and said to be contained in the car came from a port in the United States, but certainly it was not intended that the merchandise should go to the owner without an official ascertainment of the correspondence between the bill and the actual contents of the car.

I pass at this point any discussion of the question whether as a national policy this traffic should be promoted. It is enough to say that as the law stands it is authorized between "ports" of the United States, and that the rules, regulations, and conditions to be prescribed by the Secretary of the Treasury must not, in view of this declaration of the legislative will, be further restrictive of the traffic than may reasonably be necessary to protect the revenues of the United States. In determining whether further regulations are reasonably necessary to prevent frauds against our revenue it is not conclusive, at least, to say that frauds against the revenue under the existing system have not been discovered. The question is, are the regulations such as to provide proper safeguards against fraud, or are they such as to make fraud easy to those who have the disposition to commit it? If all cars carrying this merchandise are carefully and honestly inspected at the point of lading and are securely closed during the transit the revenue would be secure, for the proper lading of these cars is not subject to duty. Frauds can only be perpetrated by introducing products not subject to free entry. In practice, the seals and locks provided by the Treasury Department do not give security that these cars in the long transit in which they are free from observation by officers of the revenue may not be opened and dutiable merchandise added. The duplication of the seals used, composed of wire and lead, is easy, and the opening of locks scarcely less so. If, however, the cars, when they arrive in the United States, either at the point where our boundary is crossed or at some other port of the United States, were subject to the inspection of a revenue officer before delivery to the consignee or owner, the manifest could be verified. The inspection, however, is now limited to an examination of the lock or seal. The car is not weighed or opened to verify its contents. I do not think this is an adequate protection against the surreptitious introduction into the cars, while on foreign territory, of dutiable articles. It will be seen by the letter of the Secretary of the Treasury that grain, the product of the United States, is now largely transported in American

vessels to Canadian lake ports, and after being there placed in elevators is sent east in cars sealed by agents of the Treasury.

No observation is taken of this grain until its arrival in Canada where only the amount and grade are noted by a Treasury agent, and a like amount in grade and quantity (though it may be not the identical grain) is by such agent billed and sealed in cars for carriage to the United States. I do not find any statute authorizing this practice. Section 3006, which authorizes this interstate trade through Canada, is limited to merchandise passing from "port" to "port" of the United States, and plainly means that such merchandise shall be taken up by our revenue officers at a "port" of the United States as a starting point.

The following are the conclusions at which I have arrived:

First. That article 29 of the treaty of Washington has been abrogated.

Second. That even if this article were in force there is no law in force to execute it.

Third. That when in force the treaty imposed no obligation upon the United States to use the concessions as to transit made by Canada, and no limitation upon the powers of the United States in dealing with merchandise imported for the use of our citizens through Canadian ports or passing from one place in the United States to another through Canada, upon the arrival of such merchandise at our border.

Fourth. That, therefore, treaty or no treaty, the question of sealing cars containing such merchandise and the treatment of such sealed cars when they cross our border is, and always has been, one to be settled by our laws according to our convenience and our interests as we may see them.

Fifth. That the law authorizing the sealing of cars in Canada, containing foreign merchandise imported from a contiguous country, does not apply to merchandise imported by our own people from countries not contiguous and carried through Canada for delivery to such owners.

Sixth. That the law did not contemplate the passing of sealed cars to any place not a "port," nor the delivery of such cars to the owner or consignee to be opened by him without the supervision of a revenue officer.

Seventh. That such a practice is inconsistent with the safety of the revenue.

The statutes relating to the transportation of merchandise between the United States and the British Possessions should be the subject of revision. The Treasury regulations have given to these laws a construction and a scope that I do not think was contemplated by

Congress. A policy adapted to the new conditions growing in part out of the construction of the Canadian Pacific Railroad should be declared, and the business placed upon a basis more just to our people and to our transportation companies. If we continue the policy of supervising rates and requiring that they shall be equal and reasonable upon the railroads of the United States, we cannot in fairness at the same time give these unusual facilities for competition to Canadian roads that are free to pursue the practices as to cut rates and favored rates that we condemn and punish if practiced by our own railroads.

I regret that circumstances prevented an earlier examination by me of these questions, but submit now these views in the hope that they may lead to a revision of the laws upon a safer and just basis.

I transmit herewith the correspondence between the Secretary of the Treasury and the Attorney-General upon some phases of this question.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*February 2, 1893.*

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#### ANNEXATION OF THE HAWAIIAN ISLANDS.

*To the Senate :*

I transmit herewith, with a view to its ratification, a treaty of annexation concluded on the 14th day of February, 1893, between John W. Foster, Secretary of State, who was duly empowered to act in that behalf on the part of the United States, and Lorrin A. Thurston, W. R. Castle, W. C. Wilder, C. L. Carter, and Joseph Marsden, the commissioners on the part of the Government of the Hawaiian Islands. The provisional treaty, it will be observed, does not attempt to deal in detail with the questions that grow out of the annexation of the Hawaiian Islands to the United States. The commissioners representing the Hawaiian Government have consented to leave to the future and to the just and benevolent purposes of the United States the adjustment of all such questions.

I do not deem it necessary to discuss at any length the conditions which have resulted in this decisive action. It has been the policy of the administration not only to respect but to encourage the continuance of an independent government in the Hawaiian Islands so long as it afforded suitable guaranties for the protection of life and property, and maintained a stability and strength that gave adequate security against the domination of any other power. The moral support of this Government has continually manifested itself

in the most friendly diplomatic relations and in many acts of courtesy to the Hawaiian rulers.

The overthrow of the monarchy was not in any way promoted by this Government, but had its origin in what seems to have been a reactionary and revolutionary policy on the part of Queen Liliuokalani which put in serious peril not only the large and preponderating interests of the United States in the islands, but all foreign interests, and indeed the decent administration of civil affairs and the peace of the islands. It is quite evident that the monarchy had become effete and the Queen's government so weak and inadequate as to be the prey of designing and unscrupulous persons. The restoration of Queen Liliuokalani to her throne is undesirable, if not impossible, and unless actively supported by the United States would be accompanied by serious disaster and the disorganization of all business interests. The influence and interest of the United States in the islands must be increased and not diminished.

Only two courses are now open — one the establishment of a protectorate by the United States, and the other annexation full and complete. I think the latter course, which has been adopted in the treaty, will be highly promotive of the best interests of the Hawaiian people, and is the only one that will adequately secure the interests of the United States. These interests are not wholly selfish. It is essential that none of the other great powers shall secure these islands. Such a possession would not consist with our safety and with the peace of the world. This view of the situation is so apparent and conclusive that no protest has been heard from any government against proceedings looking to annexation. Every foreign representative at Honolulu promptly acknowledged the Provisional Government, and I think there is a general concurrence in the opinion that the deposed Queen ought not be restored.

Prompt action upon this treaty is very desirable. If it meets the approval of the Senate, peace and good order will be secured in the islands under existing laws until such time as Congress can provide by legislation a permanent form of government for the islands. This legislation should be, and I do not doubt will be, not only just to the natives and all other residents and citizens of the islands, but should be characterized by great liberality and a high regard to the rights of all people and of all foreigners domiciled there. The correspondence which accompanies the treaty will put the Senate in possession of all the facts known to the Executive.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*Washington, Feb. 15, 1893.*



## VETO MESSAGES.

### THE DEBT OF OGDEN, UTAH.

*To the House of Representatives:*

I return herewith without my approval the bill (H. R. 7170) "to authorize the city of Ogden, Utah, to assume an increased indebtedness."

The purpose and effect of this bill is to relieve the city of Ogden from the limitation imposed by the act of July 30, 1886, upon all municipal corporations in the Territories as to the indebtedness which they may lawfully contract. The general law fixes the limit of 4 per cent upon the last assessment for taxation; this bill extends the limit as to the city of Ogden to 8 per cent. The purposes for which this legislation is asked are not peculiar or exceptional. They relate to schools, street improvements, and to sewerage, and are common to every prosperous and growing town and city. If the argument by which this measure is supported is adopted, the conclusion should be a repeal or modification of the general law. But in my opinion the limitation imposed by the act of 1886 is wise and wholesome and should not be relaxed.

The report of the governor of Utah for 1889 states the population of Ogden to be 15,000, the valuation for taxation \$7,000,000, and the existing indebtedness \$100,000. It will be noticed that under the existing limit the city has power to increase its indebtedness \$180,000, which would seem to be enough to make a good beginning in the construction of sewers, while the cost of street improvements is usually met in large part by direct assessment upon the property benefited.

It is assumed in the report of the House committee that any city in the States similarly situated "would have the making of the needed improvements within its own power," while the fact is that almost all of our States have, either by their constitutions or statutes, limited the power to municipal corporations to incur indebtedness, and the limit is generally lower than that fixed by the act regulating this matter in the Territories. A large city debt retards growth and in the end defeats the purpose of those who think by mortgaging the future to attract population and property. I do not doubt that the citizens of Ogden will ultimately realize that the creation of a municipal debt of over a half million dollars by a city of 15,000 population—being about \$37 per capita—is unwise.

BENJ. HARRISON.

EXECUTIVE MANSION,

*April 26, 1890.*

PUBLIC BUILDING AT DALLAS, TEXAS.

I return without my approval the bill (H. R. 848) "to authorize the construction of an addition to the building in Dallas, Texas."

The bill authorizes the construction of a wing or addition to the present public building at a cost of \$200,000. I find that the bill as originally introduced by the member representing the Congressional district in which Dallas is situated fixed \$100,000 as the limit of the proposed expenditure; and it was so reported from the Committee on Public Buildings and Grounds, after conferring with the Supervising Architect of the Treasury. A bill of the same tenor was introduced in the Senate by one of the Senators from the State fixing the same limit of expenditure.

The public building at Dallas for which a first appropriation of \$75,000 was made in 1882, subsequently increased to \$125,000, was only completed in 1889. It is probably inadequate now to the convenient transaction of business, chiefly in that part assigned to the Post-Office Department. The material and architectural style of any addition is fixed by the present building and its ground area by the available, unoccupied space, as no provision is made for buying additional ground. The present building is 85 by 56 feet, and Mr. John S. Witwer, the postmaster, and the custodian of the building, writing to the Supervising Architect, advises that to meet the present and prospective needs of the Government, an addition at least two-thirds as large as the present building should be provided. It will be seen from the following extract from a letter of the Supervising Architect to the chairman of the Senate Committee on Public Buildings and Grounds, dated February 17, 1890, that a building larger than that suggested can be erected within the limit of \$100,000. He says:

From computations made in this office based upon data received, it is found that an extension or wing about 40 by 85 feet in dimensions, three stories high with basement, giving 3,400 square feet in addition to the 4,760 square feet of the first-floor area of the building, of fireproof construction, can be erected on the present site within the limit of cost proposed by said bill, viz, \$100,000.

It may be possible that an expenditure of \$325,000 for a public building at Dallas, if the questions of site, material, and architecture were all undetermined, could be defended, but under existing conditions I do not see how an appropriation of \$200,000 can be justified, when one-half that sum is plainly adequate to such relief as the present site allows.

The legislation for the erection of public buildings has not proceeded, so far as I can trace it, upon any general rules. Neither population nor the extent of the public business transacted has

always indicated the points where public buildings should first be built, or the cost of the structures. It can not be expected that, in the absence of some general law, the committees of Congress having charge of such matters will proceed in their recommendations upon strict or equal lines. The bills are individual, and if comparisons are attempted the necessary element of probable future growth is made to cover all apparent inequalities. It will be admitted, I am sure, that only a public need should suggest the expenditure of the public money, and that, if all such needs can not be at once supplied, the most general and urgent should have the preference.

I am not unfriendly to a liberal annual expenditure for the erection of public buildings, where the safe and convenient transaction of the public business demand it, and the state of the revenues will permit. It would be wiser, in my opinion, to build more and less costly houses, and to fix, by general law, the amount of the annual expenditure for this purpose, and some order of preference between the cities asking for public buildings.

But in view of the pending legislation looking to a very large reduction of our revenues, and of the urgency and necessity of a large increase in our expenditures in certain directions, I am of the opinion that appropriations for the erection of public buildings and all kindred expenditures should be kept at the minimum until the effect of other probable legislation can be accurately measured.

The erection of a public building is largely a matter of local interest and convenience, while expenditures for enlarged relief and recognition to the soldiers and sailors of the war for the preservation of the Union, or necessary coast defenses, and for the extension of our commerce with other American States are of universal interest, and involve considerations, not of convenience, but of justice, honor, safety, and general prosperity.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*April 29, 1890.*

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PUBLIC BUILDING AT HUDSON, N. Y.

*To the Senate of the United States:*

I return without my approval the bill (S. 1306) "for the erection of a public building at Hudson, New York." Hudson, from the best information attainable, is a city of only a little more than 10,000 population. If the postal receipts are a fair indication of the growth of the city, it has not been rapid, as they only increased

about \$4,000 in ten years. The gross postal receipts for the year 1888 were but \$14,809, and the office force consists of three clerks and five carriers. There are no other Government offices at Hudson entitled, under the law, to offices or to an allowance for rent, unless it be a deputy collector of internal revenue.

It appears from the bill, and the correspondence with the Supervising Architect, that it is proposed to erect a two-story building with fireproof vaults, heating and ventilating apparatus and elevators, 40 by 80 feet in dimensions. The ground-floor area of 3,200 feet, to be devoted to the post-office, would give 400 square feet to each of the present employés. The second story and the basement, each having the same area, will be absolutely tenantless, unless authority is given by law to the custodian to rent the rooms to unofficial tenants. It seems to me to be very clear that the public needs do not suggest or justify such an expenditure as is contemplated by this bill.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*June 4, 1890.*

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PUBLIC BUILDING AT TUSCALOOSA, ALA.

*To the House of Representatives:*

I return without my approval the bill (H. R. 7175) "to provide for the purchase of a site, and the erection of a public building thereon, at Tuscaloosa, in the State of Alabama."

Judged by its postal revenues and by the force employed in the office the post-office at Tuscaloosa is not an important one. It has one clerk, at a salary of \$450, and no carriers. The report of the Postmaster-General shows that the gross receipts for the year 1888 were \$6,379, and the net revenue less than \$4,000. The annual receipts have only increased about \$3,000 in ten years. The rent now paid for a building affording 2,200 square feet of floor space is \$275.

A general proposition to erect public buildings at this scale of expense in cities of the size of Tuscaloosa would not, I am sure, receive the sanction of Congress. It would involve the expenditure for buildings of ten times the present net revenues of such offices, and in the case under consideration would involve an increased cost for fuel, lights, and care greater than the rent now paid for the use of a room of ample size. I would not insist that it must always be shown that a proposed public building would yield an interest upon

the investment, but in the present uncertain state of the public revenues and expenditures, resulting from pending and probable legislation, there is, in my opinion, an absolute necessity that expenditures for public buildings should be limited to cases where the public needs are very evident and very imperative. It is clear that this is not such a case.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*June 12, 1890.*

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#### THE UNCOMPAHGRE RESERVATION.

*To the Senate of the United States:*

I return without my approval the bill (S. 1762) "to change the boundaries of the Uncompahgre Reservation."

The bill proposes to separate from the Ute Indian Reservation in Utah and restore to the public domain two ranges of townships along the east side of the reservation and bordering the Colorado State line. It is said that these lands are wholly worthless to the Indians for cultivation or for grazing purposes, and it must follow, I think, that they are equally worthless for such purposes to white men.

The object, then, of this legislation is to be sought not in any public demand for these lands for the use of settlers—for if they are susceptible of that use, the Indians have a clear equity to take allotments upon them—but in that part of the bill which confirms the mineral entries, or entries for mineral uses, which have been unlawfully made "or attempted to be made on said lands." It is evidently a private and not a public end that is to be promoted. It does not follow, of course, that this private end may not be wholly meritorious, and the relief sought on behalf of these persons altogether just and proper. The facts, as I am advised, are that upon these lands there are veins or beds of asphaltum or Gilsonite, supposed to be of very great value.

Entries have been made in that vicinity, but upon public lands, which lands have been resold for very large amounts. It is not important, perhaps, that the United States should in parting with these lands realize their value, but it is essential, I think, that favoritism should have no part in connection with the sales. The bill confirms all attempted entries of these mineral lands at the price of \$20 per acre (a price that is suggestive of something unusual) without requiring evidence of the expenditure of any

money upon the claim, or even proof that the claimant was the discoverer of the deposits.

The bill requires "good faith," but it will be next to impossible for the officers of the Interior Department to show actual knowledge on the part of the claimant of the lines of the reservation. The case will practicably be, as to this matter, in the hands of the claimant. But why should good faith at the moment of attempting the entry without any requirement of expenditure, and followed, it may be, within twenty-four hours by actual notice that he was upon a reservation, give an advantage in the sale of these lands that may represent a very large sum of money?

In the second place, I do not think it wise, without notice even to the Indians, to segregate these lands from their reservation. It is true, I think, that they hold these lands by an Executive order, with a contract right to take allotments upon them, and that the lands in question are not likely to be sought as an allotment by any Indian. But the Indians have been placed on this reservation and its boundaries explained to them, and to take these lands in this manner is calculated to excite their distrust and fears, and possibly to create serious trouble.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*June 17, 1890.*

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MARICOPA COUNTY, ARIZONA, BONDS.

*To the House of Representatives:*

I return without my approval the bill (H. R. 3934) "to authorize the board of supervisors of Maricopa County, Arizona, to issue certain bonds in aid of the construction of a certain railroad."

This bill proposes to confer authority upon the supervisors of the county of Maricopa to issue county bonds at the rate of \$4,000 per mile in aid of a railroad to be constructed from Phoenix northwardly to the county line, a distance estimated at 50 miles, but probably somewhat longer. The bill seems to have passed the House of Representatives under an entire misapprehension of its true scope and effect. In the brief report submitted by the Committee on Territories it is said that "by the terms of the bill the county receives bonds in payment of the money proposed to be advanced," and in the course of the debate the Delegate from Arizona mistakenly stated in response to a request for information that the bill proposed a loan by the county, in exchange for which it was to

receive the bonds of the railroad company. In fact, the bill does not provide for a loan to be secured by bonds, but for a subscription of stock. How far this mistake may have effected the passage of the bill can not, of course, be known.

The bill does not submit the question of granting this aid to a vote of the people of the county, but confers direct authority upon the supervisors to issue the bonds. It is said, however, that in April, 1889, an election was held to obtain the views of the people upon the question. It does not appear from any papers submitted to me who were the managers of this so-called election, what notice, if any was given, what qualifications on the part of voters were insisted upon, if any, or in what form the question was presented. There was no law providing for such an election. Being wholly voluntary, the election was, of course, under the management of those who favored the subsidy, and was conducted without any legal restraints as to the voting or certification. I have asked for a statement of the vote by precincts, and have been given what purports to be the vote at twelve points. The total affirmative vote given was 1,975, and the negative 134. But of the affirmative vote 1,543 were given at Phoenix and 188 at Tempe, a town very near to Phoenix. If there were no other objection to this bill I should deem this alone sufficient, that no provision is made for submitting to a vote of the people, at an election after due notice and under the sanction of law, the question whether this subscription shall be made.

But, again, the bill proposes to suspend for this case two provisions of the act of Congress of July 30, 1886.

First. That provision which forbids municipal corporations from subscribing to the stock of other corporations or loaning their credit to such corporations; and second, that provision which forbids any municipal corporation from creating a debt in excess of 4 per cent of its taxable property as fixed by the last assessment. The condition of things then existing in Arizona had not a little to do with the enactment by Congress of this law, intended to give to the people of the Territories that protection against oppressive municipal debts, which was secured to the people of most of the States by constitutional limitations. The wisdom of this legislation is not contested by the friends of this bill, but they claim that the circumstances here are so peculiar as to justify this exception. I do not think so. In the States, the limitation upon municipal indebtedness is usually placed in the constitution, in order that it may be inflexible. If a showing of need, gain, or advantage is to overcome the barrier then it is scarcely worth while to declare a

limitation. Only a belief that the limit is inflexible will promote care and economy in administration. If this bill becomes a law how can Congress refuse to any county in any of the Territories the right to subscribe to the stock of a railroad company—especially where the subscription would not exceed the debt limit—upon a showing of the advantages of better and cheaper communications?

Maricopa County is one of great extent. Its northern boundary is 95 miles long—its southern boundary 66—its eastern 45 and its western 102. This great area is to be taxed to construct a road which can in the nature of things be of advantage to but a fraction of it. There is no unity of interest or equality of advantage. It may very well be that a section of these lands along the line of the road, and especially town lots in Phoenix, would have an added value much greater than the increased burden imposed, but it is equally clear that much property in the county will receive no appreciable benefit.

The existing bonded indebtedness of Maricopa County is \$272,000; the tax assessment of the county is about \$5,000,000; and the population is estimated, by multiplying the vote cast in 1888 by 6, at about 12,000. It will be seen that the bonded debt—to say nothing of a floating debt which is said to be small—is already largely in excess of the legal limit, and it is proposed to increase it by a subscription that will certainly involve \$200,000, and possibly \$250,000. If the bill becomes a law the bonded indebtedness will very closely approximate ten per cent of the assessed valuation of the property of the county.

The condition of things in the county of Yavapai, lying immediately north of Maricopa, and through which this road is also to run, though not directly affected by this legislation, is very instructive in this connection.

By an act of the legislature of Arizona, passed the year before the act of Congress to which I have referred, Yavapai County was authorized to subscribe \$4,000 per mile to this line of road. The total length of the road in the county was 147 miles, and 74 miles to Prescott have been constructed. The secretary of the Territory, in response to an inquiry, states the debt of Yavapai County at \$563,000, and the assessment for taxation at "between \$6,000,000 and \$7,000,000." There are 73 miles of road yet to be built from the present terminus, Prescott, to the south line of the county, for which Yavapai County must make a further issue of bonds of \$292,000, making a total county debt of \$855,000, or above 13 per cent upon the taxable assessment (taking that at \$6,500,000), and a per capita county debt of nearly \$85, taking the population at about



10,600, as stated in the report of the Senate committee. Surely no one will insist that the true and permanent prosperity of these communities will be promoted by loading their energies and their industries with these great debts. I feel the force of the suggestion that the freight charges now imposed upon the farm and orchard products of Maricopa County by the railroads now in operation are oppressive. But this bill does not afford much relief even in that direction. There would be but one competing point, viz, Phoenix. At all other points on the proposed road the people would be subject to the exaction of just such rates as are demanded by the other lines. If this bill contained some effective provision to secure reasonable freight rates to the people who are to be taxed to build the road, it would go far to secure my favorable consideration for it.

I have carefully examined the reports of the committees and every argument that has been submitted to me by the friends of the bill, but I can not bring myself to believe that the permanent welfare of the communities affected by it will be promoted by its passage.

BENJ. HARRISON.

EXECUTIVE MANSION,

*June 20, 1890.*

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#### OMAHA INDIAN LANDS.

*To the House of Representatives:*

I return herewith, without my approval, the bill (H. R. 5974) entitled "An act extending the time of payment to purchasers of land of the Omaha tribe of Indians in Nebraska, and for other purposes."

The United States holds the legal title of these lands, which have been sold for the benefit of the Omaha Indians to secure the unpaid purchase money, the time of payment of which it is proposed by this act to extend. There is no objection that I know of, either on the part of the United States or of the Indians, to the extension of the unpaid installments due from purchasers. This relief is probably due to the purchasers. The bill, however, contains the following provision:

That all the lands the payment for which is hereby extended shall be subject to taxation in all respects by and in the State of Nebraska as if fully paid for and patents issued.

Now, while it is entirely proper that the interest of the purchasers in these lands should share the burdens of the communities in

which the lands are located, the title of the United States and the beneficial interest of the Indians in the lands should not be subjected to sale for the delinquency of the purchasers in paying tax assessments levied upon the lands. The effect of the provision which has been quoted would, in my opinion, give to the purchaser at a tax sale a title superior to the lien of the Government for purchase money. The bill should have contained a proviso that only the interest of the purchasers from the Government could be sold for taxes, and that the tax sale should be subject to the lien of the United States for unpaid purchase-money.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*July 9, 1890.*

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RETIREMENT OF CAPT. CHARLES STIVERS.

*To the House of Representatives :*

I return herewith, without my approval, the joint resolution (H. Res. 39) declaring the retirement of Capt. Charles B. Stivers, of the U. S. Army, legal and valid, and that he is entitled, as such officer to his pay.

Captain Stivers was dismissed the service summarily by order of the President on July 15, 1863. A subsequent examination into the causes leading to this action seems to have satisfied the President that an injustice had been done to the officer, and on the 11th day of August, 1863, an order was issued revoking the order of dismissal and restoring Captain Stivers to duty as an officer of the Army. On December 30, 1864, by a proper order from the War Department, after examination, Captain Stivers was placed upon the retired list of the Army.

The Supreme Court has decided, in the case of the United States vs. Corson (114 U. S. Reports, 619):

First. That at the time of the issuance of the order of dismissal the President had authority, under the law, to summarily dismiss an officer, and that the effect of such an order was absolutely to separate the officer from the service.

Second. That having been thus separated from the service, he could not be restored except by nomination to the Senate and its advice and consent to the appointment.

Mr. Garland, as Attorney-General, gave an opinion to the Secretary of War in the case of Captain Stivers, based upon the decision of the Supreme Court to which I have referred, holding that Captain

Stivers was not an officer on the retired list of the Army. The present Attorney-General, with whom I have conferred, takes the same view of the law. Indeed, the decision of the Supreme Court to which I have referred is so exactly in point that there can be no doubt as to the law of the case. It is undoubtedly competent for Congress, by act or joint resolution, to authorize the President, by and with the advice of the Senate, to appoint Captain Stivers to be a captain in the Army of the United States, and to place him upon the retired list. It is also perfectly competent, by suitable legislation, for Congress to give to this officer the pay of his grade during the interval of time when he was improperly carried upon the Army lists. But the joint resolution which I herewith return does not attempt to deal with the case in that way. It undertakes to declare that the retirement of Captain Stivers was legal and valid, and that he always has been and is entitled to his pay as such officer. I do not think this is a competent method of giving the relief intended. The retirement, under the law as it then existed, was not legal and valid, as the highest judicial tribunal under the Constitution has declared, for the reason that Captain Stivers was not then an officer on the active list. That being so, it follows of course that he was not entitled to draw the pay of an office he did not hold.

The relief should have taken the form usual in such cases, which is to authorize the appointment of the officer to a place made for him on the retired list.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*September 30, 1890.*

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RELIEF OF CHARLES P. CHOUTEAU.

*To the Senate:*

I return without my approval Senate bill No. 1857, "for the relief of Charles P. Chouteau, survivor of Chouteau, Harrison and Valle."

This claim has been once presented to the Court of Claims and fully heard. This bill authorizes a rehearing. I find upon examination that every fact connected with the case, necessary to the determination of the question whether the claim should be appropriated for, has already been found and stated by the Court of Claims in a published opinion. Judgment was given against the claimant upon the ground that a settlement had been made and a

receipt given in full. If in the opinion of Congress, this receipt, given under the circumstances which accompanied it, should not be held a bar to such further appropriation as is equitable, all the facts have been found that can be necessary to determine the question what further payment should be made to the contractors. There can be no reason, as it seems to me, for a re-trial of the case in the Court of Claims, in the absence of any showing of newly discovered evidence. The result would only differ from the result already obtained in that under the bill which I return the court would enter a judgment instead of a finding and the judgment could only be paid after Congressional action.

The finding which has already been made, as I have said, is a complete basis for any such action as Congress may think should be taken in the premises.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*October 1, 1890.*

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#### GAMING IN THE DISTRICT OF COLUMBIA.

*To the Senate:*

I return without my approval the bill (S. 3830) "to prohibit book-making of any kind and pool-selling in the District of Columbia for the purpose of gaming."

My objection to the bill is that it does not prohibit book-making and pool-selling, but on the contrary expressly saves from the operations of its prohibitions and penalties the Washington Jockey Club "and any other regular organizations owning race tracks no less than 1 mile in length" etc.

If this form of gambling is to be prohibited, as I think it should be, the penalties should include all persons and all places.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*October 1, 1890.*

RELIEF OF THE PORTLAND COMPANY.

*To the Senate:*

I return to the Senate, without my approval, the bill (S. 473) "for the relief of the Portland Company, of Portland, Maine."

This bill confers upon the Court of Claims jurisdiction to inquire into and determine how much certain steam machinery, built for the United States under contract and to be used in the vessels *Agawam* and *Pontoosuc*, cost the contractors over and above the contract price and any allowances for extra work which have been made; and requires the court to enter judgment in favor of the claimant for the excess of cost above such contract price and allowances.

The bill differs from others which have been presented to me, and one of which I have approved, in that it does not make the further allowance to the contractors contingent upon the fact that the additional expense was the result of the acts of the Government, through its officers, causing delays and increased cost in the construction of the work.

The bill in effect directs the court to ignore the contract entirely, except as payments under it are to be treated as credits, and to allow the contractors the cost of the work, and that without reference to their own negligence, or want of skill, in executing the work. There would seem to be no object in the Government making a contract for work if the contract is only to be binding upon the parties in the event that the contractor realizes a profit.

I can not give my approval to the proposition applied here, which if allowed here should be given general application, that every contractor with the Government who, during the early days of the war failed to realize, by reason of increase in the cost of labor and materials, a profit upon the contract, shall now have access to the Court of Claims to recover upon the *quantum meruit* the cost of the work.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*October 1, 1890.*

PUBLIC BUILDING AT BAR HARBOR, ME.

*To the Senate :*

I return to the Senate, in which it originated, with my objections, the bill (No. 544) "to provide for the purchase of a site, and the erection of a public building thereon, at Bar Harbor, in the State of Maine." The statement of a few facts will show, I think, that the public needs do not justify the contemplated expenditure of \$75,000 for the erection of a public building at Bar Harbor. Only one public office, the post-office, is to be accommodated. It appears from a report of the Postmaster-General that the rent paid by the United States for a room containing 875 square feet of floor space was, in 1888, \$300, and the expenditure for fuel and lights \$60. One clerk was employed in the office and no carriers. The gross postal receipts for that year were \$7,000. Bar Harbor is almost wholly a summer resort. The population of the town of Eden, of which Bar Harbor forms a part, as taken by the census enumerators, was less than 2,000. During one quarter of the year this population is largely increased by summer visitors, but for the other three quarters is not much above the census enumeration. The postal receipts for 1890, by quarters, show that for more than half the year the gross receipts of the post-office are about \$8 per day. The salary of a janitor for the new building would be more than twice the present cost to the Government for rent, fuel, and lights. I can not believe that upon reconsideration the Congress will approve the contemplated expenditure.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*December 24, 1890.*

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RAILROAD BONDS—OKLAHOMA CITY.

*To the House of Representatives:*

I return herewith, without my approval, the bill (H. R. 12365) entitled "An act to authorize Oklahoma City, in Oklahoma Territory, to issue bonds to provide a right of way for the Choctaw Coal and Railway Company through said city." This bill authorizes the corporation of Oklahoma City to issue corporate bonds to the amount of \$40,000, for the purpose of providing a right of way for a railroad company through the city, if the proposition shall receive

the assent of a majority of the legal voters at an election to be called for that purpose.

It is attempted to distinguish this case from the ordinary case of a municipal grant to a railway company by the fact that this railway company had located its line through the lands afterwards settled upon under the town-site law before such settlement, and that the route thus located cuts the plat of the city diagonally and in a way to be very injurious to property interests.

Upon an examination of the facts, it appears to me to be clear that no legal location was made by the railway company prior to the acquisition of the lands by the occupying settlers. Some preliminary surveys had been made, but no map of location had been filed with the Secretary of the Interior. If the rights of this company at this point of its road, as to right of way, are derived from the general statute of the United States upon that subject (Revised Statutes, Supplement, page 87), then section 4 distinctly saves the right of any settler who had located prior to the filing of a profile of the road and the approval by the Secretary of the Interior thereof. And, if, on the other hand, the rights of the company at the point indicated are derived from the act of Congress of February 18, 1888, "to authorize the Choctaw Coal and Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," section 6 of that act also plainly protects the right of any occupying claimant. The latter statute, it seems to me, was intended to grant a right of way only through Indian lands, and if these lands were not such, the general statute, to which I have referred, would apply; but in either event the conclusion is the same.

It appears from the report of the committee that its favorable action, and I must assume the favorable action of Congress, proceeded upon the theory that there was a real controversy, doubtful as to its issue, as to the right of the railroad company to hold the line of its survey through the city.

Stripped, then, of this claim, the proposition is nakedly one to authorize Oklahoma City to donate \$40,000 to the Choctaw Coal and Railway Company. The general statute of the United States prohibits such grants, and this must stand, until repealed, as a continuing expression of legislative opinion. If a departure from this rule is to be allowed at all, certainly it should only be where the circumstances are exceptional. Such circumstances, in my opinion, do not exist in this case. Already I have received from other cities in the Territory protests against special legislation of this sort, accompanied by the suggestion that if this policy is

admitted other cities shall also be allowed to encourage the building of roads by donation.

Oklahoma City, according to the report of the Census Office, has a population of about 4,100, and this donation would be equivalent to nearly \$10 per capita. Very little real estate, whether town site or country property, in this Territory is yet subject to assessment for taxation. The people have not yet had time to accumulate, and Congress has received appeals for aid to relieve a prevailing distress which the Territorial authorities have found themselves unable to deal with. It does not seem to me, in view of all these facts, that the wholesome rule prescribed by the general statute should be departed from.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*January 26, 1891.*

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PROMOTION OF CHIEF OF RECORD AND PENSION  
OFFICE.

*To the Senate:*

I return to the Senate without my approval the bill (S. 4620) "to establish the Record and Pension Office of the War Department, and for other purposes."

This bill proposes to change the designation of one of the divisions of the War Department. It is now the "Record and Pension Division," and it is proposed that it shall hereafter be the "Record and Pension Office" of the War Department. The scope of the work assigned to this division or office is not changed, but the organization now existing under a classification made by the Secretary of War is, by the bill, made permanent and put beyond the control of the Secretary. The change of designation seems to have been intended to add dignity to the position, and the effect of the bill is probably to require that the chief of this office shall hereafter be appointed only by and with the advice and consent of the Senate, though it is not clear that any provision is made for a chief after the particular person designated in the bill has been separated from the place, or in case he is not appointed.

The real object of the bill is disclosed in the following clause:

The President is hereby authorized to nominate and, by and with the advice and consent of the Senate, to appoint the officer now in charge of said Record and Pension Division to be colonel in the Army, and chief of said office.

It is fairly to be implied from the bill that, in the opinion of Congress the public interests would be promoted by making the



contemplated change in the grade of this office and by giving the rank and pay of a colonel in the Army to the chief. A new and rather anomalous office is therefore created — that of “colonel in the Army and chief of the Record and Pension Office of the War Department”—but upon the condition that the President shall nominate a particular person to fill it. I do not think it is competent for Congress to designate the person who shall fill an office created by law, and practically nothing remains of the bill under consideration if this person is not to be appointed. The office is an important one, connected with the active civil administration of the War Department. I can not agree that the selection of the officer shall be taken out of the discretion of the Executive, where the responsibility for good administration necessarily rests. It is probably true that the officer intended to be benefited is peculiarly deserving and has had remarkable success in the discharge of the duties of the office; but these are considerations for the appointing power, and might safely have been left there.

If this particular appointment was backed by reasons so obvious as to secure the support of both Houses of Congress, it should have been assumed that these reasons could have been made obvious to the Executive by the ordinary methods. In connection with the Army and Navy retired lists, legislation akin to this has become quite frequent, too frequent in my opinion, but these laws have been regarded as grants of pensions rather than of offices.

If it is to be allowed that active places connected with the Executive Departments can be created upon condition that particular persons are, or are not, to be designated to fill them, the power of appointment might be wholly diverted from the Executive to the Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*February 26, 1891.*

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RELIEF OF ESTATE OF GEORGE W. LAWRENCE.

*To the Senate:*

I return herewith, without my approval, the bill (S. 3270) “for the relief of the administratrix of the estate of George W. Lawrence.”

If I rightly construe this bill it authorizes the Court of Claims to give judgment in favor of the contractor with the United States for the construction of the vessels named (*Agawam* and *Pontoosuc*)

for the difference between the contract price and the actual cost to the contractor of building the vessels, subject only to the condition that nothing shall be allowed for any advance in the price of labor or material, unless such advance occurred during the prolonged term for completing the work rendered necessary by delay resulting from the action of the Government. The bill is somewhat obscure, but I have, I think, correctly stated the legal effect of it.

Undoubtedly in contracts made for Army and Navy supplies and construction during the early days of the war there was not infrequently loss to the contractor by reason of the advance in the cost of labor, resulting from the withdrawal of so large a body of men for service in the field, and the indirect result of this upon the cost of material; but I can not believe that it is the purpose of Congress to reopen such contracts at this late day and to pay to the contractors the cost of the work or material which they stipulated to do or deliver at fixed prices. In the matter of another vessel constructed by this same claimant, and in the case of one other similar claim, I approved bills at the last session, but they carefully limited any finding by the Court of Claims to such losses as necessarily resulted from the interference by the Government with the progress of the work, thus creating delays and enhanced cost.

In those cases the Government only undertook to make good losses resulting directly and unavoidably from its own acts. If the principle which seems to me to be embodied in the bill under consideration is adopted I do not see how the Congress can refuse in all cases of all sorts of contracts to make good the losses resulting from appreciation in the cost of labor and material. The expenditure that such a policy would entail is incalculable, and the policy itself is in my judgment indefensible.

The bill at last session for the relief of this claimant, in the case of another vessel constructed by him, was, as I have said, carefully put upon the lines I have indicated, and if this claim could have been maintained upon those lines I assume that the bill would have been similar in its provisions.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*March 2, 1891.*

## CIRCUIT COURT OF APPEALS.

*To the Senate:*

I return herewith, without my approval, the bill (S. 2729) entitled "An act to amend an act entitled 'An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes.'"

The original act to which this amendment is proposed, constituting an intermediate court of appeals, had for its object the relief of the Supreme Court by limiting the cases which might be brought up for hearing in that court. The first section of the bill under consideration allows appeals in criminal cases where the sentence imposes no imprisonment and the fine is as much as \$1,000. The effect of this provision will be to bring to the Supreme Court many cases that, in my opinion, should be finally determined in the intermediate appellate court, and so, in part, to defeat the general purpose of Congress in constituting the intermediate court. But this objection would not alone have sufficient weight in my mind to induce me to return the bill. Section 3 of the bill is as follows:

That no appeal shall hereafter be allowed from judgments of the Court of Claims in cases under the act of March 3, 1891, entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," except where the adjudication involves the construction or application of the Constitution or the validity or construction of a treaty or the constitutionality of a law of the United States: *Provided, however,* That upon such appeal it shall be competent for the Supreme Court to require, by certiorari or otherwise, the whole case to be certified for its review and determination upon the facts as well as the law.

I am advised by the Attorney-General that under the Indian depredations act, 8,000 cases, involving an aggregate of damages claimed of about \$30,000,000, have already been filed. A number of these cases involve as much as \$100,000 each, while a few involve as much as \$500,000 each, and one something over \$1,000,000. The damages which may be awarded in these cases by the Court of Claims are to be paid out of the trust funds of the Indians held by the United States, or, if there are no such funds, out of the Treasury of the United States. The law referring these cases to the Court of Claims has had no judicial interpretation, and many novel and difficult questions are likely to arise. It is quite a startling proposition and a very novel one, I think, that there shall be absolutely no opportunity for the review in an appellate court, in cases involving such large amounts, of questions involving the construction of the statute under which the court is proceeding, or those various questions of law, many of them new, which necessarily arise in such cases.

Neither the claimants, the Indians, nor the Government of the United States should be absolutely denied opportunity to bring their exceptions to review by some appellate tribunal. I would not suggest that an appeal should be allowed in all cases. Some limitation as to amount would be reasonable, and perhaps some discretion might be lodged in the Supreme Court as to granting appeals. The limitations, however, imposed by the section I have quoted are so severe and unreasonable, in my judgment, that I have felt compelled to return the bill to the Senate with a view to its reconsideration.

BENJ. HARRISON.

EXECUTIVE MANSION,

*July 19, 1892.*

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#### THE CLAIM OF WILLIAM MCGARRAHAN

##### *To the Senate :*

I return herewith, without my approval, the bill (S. 1958) entitled "An act to submit to the Court of Private Land Claims, established by an act of Congress approved March 3, 1891, the title of William McGarrahan to the Rancho Panoche Grande in the State of California, and for other purposes."

This bill came to me on the 20th instant, at a time when very many other bills were submitted for my consideration, and it has not been possible for me to make such an examination of the history of Mr. McGarrahan's claim as would be necessary to form an intelligent judgment as to its merits and just extent. It is quite possible that he has been wronged and that he has a claim for some reparation from the Government. I can not, however, think that this bill proceeds upon a just basis. It provides that Mr. McGarrahan shall file his claim as the assignee of Gomez in the Court of Private Land Claims for the lands described in the title; and that if the court establishes the grant to Gomez it shall be confirmed to McGarrahan. No evidence that he is the assignee of Gomez is, I think, required by the bill, which assumes that fact, instead of submitting it to the court. If the claim is established it is provided, in substance, that all lands, part of said grant, which have been conveyed by the Government or are in the occupancy of actual settlers, or "upon which there are any smelting or reduction works, or the lands claimed in connection with such reduction or smelting works," shall be excepted from the patent which the Secretary of the Interior is directed to issue to McGarrahan. By this provision the title of the New Idria Mining Company, which has long contested with McGar-

rahan the title to a large part of this property, is established and that company is relieved from any responsibility to account for the profits made in mining. On the other hand, the United States waives all benefit of judicial proceedings which have resulted in its favor and gives Mr. McGarrahan an opportunity *de novo* to try all such questions; and the decision, if in his favor, is not only to restore to him all the lands yet undisposed of, but the United States assumes to pay him the value of the lands appropriated by others, and of their use for all these years, and to account to him for all profits that have been made by the New Idria Mining Company, or any one else, in quicksilver or other mining.

This seems to me to be wholly inadmissible. The amount involved must be enormously large, though at present incapable of any accurate estimate. If the title of the New Idria Company has been established by final decrees of court, placing that title beyond question, and that company beyond any call to respond for use and profits, why should the Government of the United States, waiving in its behalf these decrees which would protect it also, assume a responsibility to account for the value of the lands and for their use and for the net value of minerals extracted by that company or others? It will be noticed in the quotation I have made from the act that this company is allowed to take all the land it may claim, but at the expense of the United States, not of Mr. McGarrahan.

The bill is so framed as to give full protection to the New Idria Mining Company to the full extent of its largest claim, while throwing upon the United States a responsibility which that company should bear if the title of Mr. McGarrahan is established.

The United States provided a proper tribunal for the trial of claims founded upon Mexican grants. This claim was there tried, and if fraud affected the judgment it is not, I think, chargeable to the Government—the contest was chiefly between rival claimants. In this state of the case it would seem that if the United States consents to open the litigation, and to wipe out all judicial findings and decrees, that a less exacting measure of damages than that proposed in the bill should be agreed on.

It is not my purpose, as I have intimated, to express the opinion that Mr. McGarrahan is entitled to no relief. It seems to me, however, clear that he is not entitled to the relief given by this bill, and that it does not adequately protect the interests of the United States.

BENJ. HARRISON.

EXECUTIVE MANSION,  
*July 29, 1892.*

AMENDING THE LAW AS TO LAND CLAIMS.

*To the Senate :*

I return herewith, without my approval, the bill (S. IIII) entitled "An act to amend the act of Congress approved March 3, 1887, entitled 'An act to provide for the bringing of suits against the Government of the United States.'"

If I may judge from the very limited discussion of this measure in Congress the sweeping effects of it upon the administration of the public lands could hardly have been fully realized. From the beginning of the Government the administration of the public lands and the issuing of patents under the land laws have been an executive function.

The jurisdiction of the courts as to contesting claims for patents has awaited the action of the General Land Office. Land offices have been established and maintained in all the districts where public lands were found, located with reference to the convenience of the settlers, and the proceedings have been informal and inexpensive. It is true that at times, by an administration of the land office unfriendly toward the settlers, unnecessary delays involving much hardship have intervened in the issuing of patents; but such is not the case now. The work of the land office within the last three years has been so efficient and so friendly to the bona fide settler that the large accumulation of cases there has been swept away, and the office, as I am informed by the Secretary of the Interior, is now engaged upon current business.

It seems to me that a transfer, in whole or in part, of this business to the courts, some of whose dockets are already loaded with cases, can not tend to expedition; while it is very manifest that by reason of the greater formality in the taking and presentation of evidence which would be required in court, and of the long distances which settlers would have to traverse in order to attend court, the costs in such cases would be enormously increased.

It is proposed by this bill to give what is called concurrent jurisdiction to the district courts of the United States and to the Court of Claims to hear and determine all claims for land patents under any law or grant of the United States. Whether concurrent with each other or with each other and the Land Office is not clear.

It is quite doubtful under the rulings of the Supreme Court whether the courts now provided by law for the Territories are "district courts of the United States" within the meaning of this bill. The effect of this legislation would, if they were held not to

be such, be that as to all suits relating to lands in the Territories of New Mexico, Arizona, Utah, and Oklahoma, no other forum is provided than the Court of Claims at Washington. In this state of the case a settler or one who has taken a mineral claim in any of these Territories would be subject to be brought to the city of Washington for the trial of his case.

In view of the fact that all recent legislation of Congress has been in the direction of subdividing judicial districts and of bringing the United States courts nearer to the litigants, I can only attribute to oversight the passage of this bill, which in my opinion, would burden the homesteader and preëmtor whose claim is contested, whether by another individual or by any corporation, by compelling him to appear at Washington and to conduct with the formality and expense incident to court proceedings the defense of his title. But even in the case of land contests arising in the States where district courts exist, the plaintiff, it will be observed by this act, is given the option to sue in those courts or to bring his adversary to Washington to litigate the claim. Why should he have this advantage?—one that is not given, so far as I know, in any other law fixing the forum of litigation between individuals. Not only is this true, but the Court of Claims was established for the trial of cases between individuals and corporations on the one side and the United States on the other, and, so far as I now recall, wholly for the trial of money claims.

There are no adequate provisions of law, if any at all, for conducting suits between individuals contesting private rights. The court has one bailiff and one messenger, no marshal, and is not provided, I think, either with the machinery or with the appropriation to send its processes to the most distant parts of the country. Yet it is apparent that under this bill the real issue would frequently be between rival claimants, and not between either and the United States. This court, too, is already burdened with business, since the reference to it of the Indian depredation claims, the French spoliation claims, etc., and it certainly can not be thought that a more speedy settlement of land claims could be there obtained than is now given.

Again, the bill is so indefinite in its provisions that it can not be told, I think, what function, if any, remains to be discharged by the General Land Office. It was said in answer to an interrogatory when the bill was under consideration, that it did not affect claims pending in the Land Office; and yet it seems to me that its effect is to allow any contestant in the Land Office, at any stage of the proceedings there, to transfer the whole controversy to the courts. He may take his chances of success in the Land Office, and if, at

any time, he becomes apprehensive of an adverse decision, he may begin *de novo* in the courts.

If it was intended to preserve the jurisdiction of the Land Office, and to hold cases there until a judgment had been reached, the bill should have so provided; for it is capable of, and indeed seems to me compels the construction that either party may forsake the Land Office at any stage of a contest. I am quite inclined to believe that if provision were made, as in section 1063 of the Revised Statutes, relating to claims in other departments, for the transfer to a proper court, under proper regulations, of certain contest cases involving questions affecting large classes of claims, it would be a relief to the Land Office and would tend to a more speedy adjustment of land titles in such cases, a result which would be in the interest of all our people.

Nothing is more disadvantageous to a community, its progress and peace, than unsettled land titles. This bill, however, as I have said, is so radical, and seems to me to be so indefinite in its provisions, that I can not give it my approval.

BENJ. HARRISON.

EXECUTIVE MANSION,  
August 3, 1892.

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#### JUDICIAL OFFICERS IN ALABAMA.

*To the House of Representatives:*

I return herewith, without my approval an act (H. R. 9612) entitled "An act to prescribe the number of district attorneys and marshals in the judicial districts of the State of Alabama."

Under the present law there is a district attorney for the southern district of Alabama, a district attorney for the northern and middle districts, a marshal for the northern district and a marshal for the southern and middle districts. An examination of the records of the Attorney-General's office as to the amount of business in the courts in these districts leads me to believe that two districts would provide amply for the disposition of all public and private cases. The law creates two new officers whose aggregate compensation may be \$12,000 per annum, without, it seems to me, a justifying necessity. But the most serious objection to the legislation is that it creates at once, upon the taking effect of the law, the offices of district attorney and marshal for each of the three districts; and the effect, it seems to me, must be to abolish the offices as they now exist. No provision is made for a continued discharge of the duties of marshal and district attorney by the present incumbents. A



serious question would be raised as to whether these officers were not at once legislated out of office and vacancies created. As these vacancies could not be filled immediately the business of the courts would seriously suffer. The law should at least have contained a provision for the continued discharge of their duties by the incumbents until the new officers were appointed and qualified.

BENJ. HARRISON.

EXECUTIVE MANSION,

*February 27, 1893.*

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## PROCLAMATIONS AND ORDERS.

### THANKSGIVING, 1889.

A highly favored people, mindful of their dependence on the bounty of divine Providence, should seek fitting occasion to testify gratitude and ascribe praise to Him who is the author of their many blessings. It behooves us then to look back with thankful hearts over the past year and bless God for his infinite mercy in vouchsafing to our land enduring peace, to our people freedom from pestilence and famine, to our husbandmen abundant harvests, and to them that labor a recompense of their toil.

Now, therefore, I, Benjamin Harrison, President of the United States of America, do earnestly recommend that Thursday, the 28th day of this present month of November, be set apart as a day of national thanksgiving and prayer, and that the people of our country, ceasing from the cares and labors of their working day, shall assemble in their respective places of worship and give thanks to God, who has prospered us on our way and made our paths the paths of peace; beseeching Him to bless the day to our present and future good, making it truly one of thanksgiving for each reunited home circle as for the nation at large.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this first day of November, in the year of our Lord one thousand eight hundred and eighty-nine, and of the independence of the United States the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,

*Secretary of State.*

THANKSGIVING, 1890.

By the grace and favor of Almighty God the people of this nation have been led to the closing days of the passing year, which has been full of the blessings of peace and the comforts of plenty. Bountiful compensation has come to us for the work of our minds and of our hands in every department of human industry.

Now, therefore, I, Benjamin Harrison, President of the United States of America, do hereby appoint Thursday, the 27th day of the present month of November, to be observed as a day of prayer and thanksgiving; and I do invite the people, upon that day to cease from their labors, to meet in their accustomed houses of worship and to join in rendering gratitude and praise to our beneficent Creator for the rich blessings He has granted to us as a nation, and in invoking the continuance of His protection and grace for the future. I commend to my fellow-citizens the privilege of remembering the poor, the homeless, and the sorrowful. Let us endeavor to merit the promised recompense of charity and the gracious acceptance of our praise.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this eighth day of November, in the year of our Lord one thousand eight hundred and [SEAL] ninety, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State*

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THANKSGIVING, 1891.

It is a very glad incident of the marvelous prosperity which has crowned the year now drawing to a close that its helpful and reassuring touch has been felt by all our people. It has been as wide as our country, and so special that every home has felt its comforting influence. It is too great to be the work of man's power and too particular to be the device of his mind. To God, the Beneficent and the All Wise, who makes the labors of men to be fruitful, redeems their losses by His grace, and the measure of whose giving is as much beyond the thoughts of man as it is beyond his

deserts, the praise and gratitude of the people of this favored nation are justly due.

Now, therefore, I, Benjamin Harrison, President of the United States of America, do hereby appoint Thursday, the 26th day of November present, to be a day of joyful thanksgiving to God for the bounties of His providence, for the peace in which we are permitted to enjoy them, and for the preservation of those institutions of civil and religious liberty which He gave our fathers the wisdom to devise and establish, and us the courage to preserve. Among the appropriate observances of the day are rest from toil, worship in the public congregation, the renewal of family ties about our American firesides, and thoughtful helpfulness towards those who suffer lack of the body or of the spirit.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this thirteenth day of November, in the year of our Lord, one thousand eight hundred and [SEAL.] ninety-one, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

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THANKSGIVING, 1892.

The gifts of God to our people during the past year have been so abundant and so special that the spirit of devout thanksgiving awaits not a call, but only the appointment of a day when it may have a common expression. He has stayed the pestilence at our door; He has given us more love for the free civil institutions in the creation of which His directing providence was so conspicuous; He has awakened a deeper reverence for law; He has widened our philanthropy by a call to succor the distress in other lands; He has blessed our schools and is bringing forward a patriotic and God-fearing generation to execute His great and benevolent designs for our country; He has given us great increase in material wealth and a wide diffusion of contentment and comfort in the homes of our people; He has given His grace to the sorrowing.

Wherefore, I, Benjamin Harrison, President of the United States, do call upon all our people to observe, as we have been wont, Thursday, the 24th day of this month of November, as a day of

thanksgiving to God for His mercies and of supplication for His continued care and grace.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this fourth day of November, one thousand eight hundred and ninety-two, and of the [SEAL.] Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President;

JOHN W. FOSTER,  
*Secretary of State.*

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#### WASHINGTON CENTENNIAL ANNIVERSARY.

A hundred years have passed since the Government which our forefathers founded was formally organized. At noon on the 30th day of April, 1789, in the city of New York, and in the presence of an assemblage of the heroic men whose patriotic devotion had led the colonies to victory and independence, George Washington took the oath of office as Chief Magistrate of the new-born Republic. This impressive act was preceded, at 9 o'clock in the morning, in all the churches of the city, by prayer for God's blessing on the Government and its first President.

The centennial of this illustrious event in our history has been declared a general holiday by act of Congress to the end that the people of the whole country may join in commemorative exercises appropriate to the day.

In order that the joy of the occasion may be associated with a deep thankfulness in the minds of the people for all our blessings in the past, and a devout supplication to God for their gracious continuance in the future, the representatives of the religious creeds, both Christian and Hebrew, have memorialized the Government to designate an hour for prayer and thanksgiving on that day.

Now, therefore, I, Benjamin Harrison, President of the United States of America, in response to this pious and reasonable request, do recommend that on Tuesday, April 30, at the hour of 9 o'clock in the morning, the people of the entire country repair to their respective places of divine worship, to implore the favor of God that the blessings of liberty, prosperity and peace may abide with

us as a people, and that His hand may lead us in the paths of righteousness and good deeds.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done in the city of Washington this fourth day of April, in the year of our Lord one thousand eight hundred and eighty-nine, and of the Independence of the United States the one hundred and thirteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

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#### THE COLUMBUS QUARTO CENTENARY.

Whereas, by a joint resolution approved June 29, 1892, it was resolved by the Senate and House of Representatives of the United States of America in Congress assembled, "That the president of the United States be authorized and directed to issue a proclamation recommending to the people the observance in all their localities of the four hundredth anniversary of the discovery of America, on the twenty-first of October, eighteen hundred and ninety-two, by public demonstrations and by suitable exercises in their schools and other places of assembly."

Now, therefore, I, Benjamin Harrison, President of the United States of America, in pursuance of the aforesaid joint resolution, do hereby appoint Friday, October 21, 1892, the four hundredth anniversary of the discovery of America by Columbus, as a general holiday for the people of the United States. On that day let the people, so far as possible, cease from toil and devote themselves to such exercises as may best express honor to the discoverer and their appreciation of the great achievements of the four completed centuries of American life.

Columbus stood in his age as the pioneer of progress and enlightenment. The system of universal education is in our age the most prominent and salutary feature of the spirit of enlightenment, and it is peculiarly appropriate that the schools be made by the people the center of the day's demonstration. Let the national flag float over every school house in the country, and the exercises be such as shall impress upon our youth the patriotic duties of American citizenship.

In the churches and in the other places of assembly of the people, let there be expressions of gratitude to divine Providence for the devout faith of the discoverer, and for the divine care and guidance which has directed our history and so abundantly blessed our people.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-first day of July, in the year of our Lord one thousand eight hundred and [SEAL.] ninety-two, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,  
*Secretary of State.*

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#### THE WORLD'S COLUMBIAN EXPOSITION.

Whereas satisfactory proof has been presented to me that provision has been made for adequate grounds and buildings for the uses of the World's Columbian Exposition, and that a sum not less than \$10,000,000, to be used and expended for the purposes of said Exposition, has been provided in accordance with the conditions and requirements of section 10 of an act entitled "An act to provide for celebrating the four-hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, and sea, in the city of Chicago, in the State of Illinois," approved April 25, 1890.

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the authority vested in me by said act, do hereby declare and proclaim that such international exhibition will be opened on the 1st day of May, in the year 1893, in the city of Chicago, in the State of Illinois, and will not be closed before the last Thursday in October of the same year. And in the name of the Government, and of the people of the United States, I do hereby invite all the nations of the earth to take part in the commemoration of an event that is preëminent in human history and of lasting interest to mankind, by appointing representatives thereto, and sending such exhibits to the World's Columbian Exposition as will most fitly and fully illustrate their resources, their industries, and their progress in civilization.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-fourth day of December, one thousand eight hundred and ninety, and of the [SEAL.] Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President :

JAMES G. BLAINE,  
*Secretary of State.*

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### MISCELLANEOUS.

#### OPPOSITION TO THE LAWS IN WYOMING.

Whereas, by reason of unlawful obstructions, combinations, and assemblages of persons, it has become impracticable, in my judgment, to enforce by the ordinary course of judicial proceedings the the laws of the United States within the State and District of Wyoming, the United States marshal, after repeated efforts, being unable by his ordinary deputies, or by any civil posse which he is able to obtain, to execute the process of the United States courts :

Now, therefore, be it known that I, Benjamin Harrison, President of the United States, do hereby command all persons engaged in such resistance to the laws and the process of the courts of the United States to cease such opposition and resistance and to disperse and retire peaceably to their respective abodes, on or before Wednesday, the 3d day of August next.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this thirtieth day of July, in the year of our Lord one thousand eight hundred and ninety-[SEAL.] two, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President :

JOHN W. FOSTER,  
*Secretary of State.*

### CANAL TOLLS FOR CANADIAN GOODS.

Whereas, by an act of Congress approved July 26, 1892, entitled "An act to enforce reciprocal commercial relations between the United States and Canada, and for other purposes," it is provided—

That, with a view of securing reciprocal advantages for the citizens, ports, and vessels of the United States, on and after the first day of August, eighteen hundred and ninety-two, whenever and so often as the President shall be satisfied that the passage through any canal or lock connected with the navigation of the Saint Lawrence River, the Great Lakes, or the water ways connecting the same, of any vessels of the United States, or of cargoes or passengers in transit to any port of the United States, is prohibited or is made difficult or burdensome by the imposition of tolls or otherwise which, in view of the free passage through the St. Marys Falls Canal, now permitted to vessels of all nations, he shall deem to be reciprocally unjust and unreasonable, he shall have the power, and it shall be his duty, to suspend, by proclamation to that effect, for such time and to such extent (including absolute prohibition) as he shall deem just, the right of free passage through the Saint Marys Falls Canal, so far as it relates to vessels owned by the subjects of the government so discriminating against the citizens, ports, or vessels of the United States, or to any cargoes, portions of cargoes, or passengers in transit to the ports of the government making such discrimination, whether carried in vessels of the United States or of other nations.

In such case and during such suspension tolls shall be levied, collected, and paid as follows, to wit: Upon freight of whatever kind or description, not to exceed two dollars per ton; upon passengers, not to exceed five dollars each, as shall be from time to time determined by the President: *Provided*, That no tolls shall be charged or collected upon freight or passengers carried to and landed at Ogdensburg, or any port west of Ogdensburg, and south of a line drawn from the northern boundary of the State of New York through the Saint Lawrence River, the Great Lakes, and their connecting channels to the northern boundary of the State of Minnesota.

Sec. 2. All tolls so charged shall be collected under such regulations as shall be prescribed by the Secretary of the Treasury, who may require the master of each vessel to furnish a sworn statement of the amount and kind of cargo and the number of passengers carried and the destination of the same, and such proof of the actual delivery of such cargo or passengers at some port or place within the limits above named as he shall deem satisfactory; and until such proof is furnished such freight and passengers may be considered to have been landed at some port or place outside of those limits, and the amount of tolls which would have accrued if they had been so delivered shall constitute a lien, which may be enforced against the vessel in default wherever and whenever found in the waters of the United States.

And whereas the Government of the Dominion of Canada imposes a toll amounting to about 20 cents per ton on all freight passing through the Welland Canal in transit to a port of the United States, and also a further toll on all vessels of the United States and on all passengers in transit to a port of the United States, all of which tolls are without rebate.

And whereas the Government of the Dominion of Canada in accordance with an order in council of April 4, 1892, refunds 18 cents per ton of the 20-cent toll at the Welland Canal on wheat,



Indian corn, pease, barley, rye, oats, flaxseed, and buckwheat, upon condition that they are originally shipped for and carried to Montreal or some port east of Montreal for export, and that, if transshipped at an intermediate point, such transshipment is made within the Dominion of Canada, but allows no such nor any other rebate on said products when shipped to a port of the United States or when carried to Montreal for export if transshipped within the United States.

And whereas the Government of the Dominion of Canada by said system of rebate and otherwise discriminates against the citizens of the United States in the use of said Welland Canal in violation of the provisions of article 27 of the treaty of Washington concluded May 8, 1871.

And whereas said Welland Canal is connected with the navigation of the Great Lakes, and I am satisfied that the passage through it of cargoes in transit to ports of the United States is made difficult and burdensome by said discriminating system of rebate and otherwise, and is reciprocally unjust and unreasonable :

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the power to that end conferred upon me by said act of Congress approved July 26, 1892, do hereby direct that from and after September 1, 1892, until further notice, a toll of 20 cents per ton be levied, collected, and paid on all freight of whatever kind or description passing through the St. Marys Falls Canal in transit to any port of the Dominion of Canada, whether carried in vessels of the United States or of other nations; and to that extent I do hereby suspend from and after said date the right of free passage through said St. Marys Falls Canal of any and all cargoes or portions of cargoes in transit to Canadian ports.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this eighteenth day of August, in the year of our Lord one thousand eight hundred and [SEAL.] ninety-two, and of the Independence of the United States of America the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,  
*Secretary of State.*

ADMITTING NEW STATES.

NORTH DAKOTA.

Whereas the Congress of the United States did by an act approved on the 22d day of February, 1889, provide that the inhabitants of the Territory of Dakota might, upon the conditions prescribed in said act become the States of North Dakota and South Dakota;

And whereas it was provided by said act that the area comprising the Territory of Dakota should, for the purposes of the act, be divided on the line of the seventh standard parallel produced due west to the western boundary of said Territory and that the delegates elected as therein provided to the constitutional convention in districts north of said parallel should assemble in convention, at the time prescribed in the act, at the city of Bismarck;

And whereas it was provided by the said act that the delegates elected as aforesaid should, after they had met and organized, declare on behalf of the people of North Dakota that they adopt the Constitution of the United States; whereupon the said convention should be authorized to form a constitution and State government for the proposed State of North Dakota;

And whereas it was provided by said act that the constitution so adopted should be republican in form and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence; and that the convention should, by an ordinance irrevocable without the consent of the United States and the people of said States, make certain provisions prescribed in said act;

And whereas it was provided by said act that the constitutions of North Dakota and South Dakota should, respectively, incorporate an agreement to be reached in accordance with the provision of the act, for an equitable division of all property belonging to the Territory of Dakota, the disposition of all public records and also for the apportionment of the debts and liabilities of said Territory, and that each of said States should obligate itself to pay its proportion of such debts and liabilities the same as if they had been created by such States respectively;

And whereas it was provided by said act that the constitution thus formed for the people of North Dakota should, by an ordinance of the convention forming the same, be submitted to the people of North Dakota at an election to be held therein on the first Tuesday in October, 1889, for ratification or rejection by the qualified voters

of said proposed State and that the returns of said election should be made to the secretary of the Territory of Dakota, who, with the governor, and chief justice thereof, or any two of them, should canvass the same; and if a majority of the legal votes cast should be for the constitution, the governor should certify the result to the President of the United States, together with a statement of the votes cast thereon, and upon separate articles or propositions and a copy of said constitution, articles, propositions and ordinances;

And whereas it has been certified to me by the governor of the Territory of Dakota that within the time prescribed by said act of Congress a constitution for the proposed State of North Dakota has been adopted and the same ratified by a majority of the qualified voters of said proposed State in accordance with the conditions prescribed in said act;

And whereas it is also certified to me by the said governor that at the same time that the body of said constitution was submitted to a vote of the people, a separate article, numbered 20 and entitled "Prohibition," was also submitted and received a majority of all the votes cast for and against said article as well as a majority of all the votes cast for and against the constitution, and was adopted;

And whereas a duly authenticated copy of said constitution, article, ordinances, and propositions, as required by said act has been received by me:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the provisions of the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the State of North Dakota to entitle that State to admission to the Union have been ratified and accepted and that the admission of the said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this second day of November, in the year of our Lord one thousand eight hundred and [SEAL.] eighty-nine, and of the Independence of the United States of America the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

SOUTH DAKOTA.

Whereas the Congress of the United States did, by an act approved on the 22nd day of February, 1889, provide that the inhabitants of the Territory of Dakota might, upon the conditions prescribed in the said act, become the States of North Dakota and South Dakota;

And whereas it was provided by said act that the area comprising the Territory of Dakota should, for the purposes of the act, be divided on the line of the seventh standard parallel produced due west to the western boundary of said Territory, and that the delegates elected as therein provided to the constitutional convention in districts south of said parallel should, at the time prescribed in the act, assemble in convention at the city of Sioux Falls;

And whereas it was provided by the said act that the delegates elected as aforesaid should, after they had met and organized, declare on behalf of the people of South Dakota that they adopt the Constitution of the United States; whereupon the said convention should be authorized to form a constitution and State government for the proposed State of South Dakota;

And whereas it was provided by said act that the constitution so adopted should be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence; and that the convention should, by an ordinance irrevocable without the consent of the United States and the people of said States, make certain provisions prescribed in said act;

And whereas it was provided by said act that the constitutions of North Dakota and South Dakota should, respectively, incorporate an agreement to be reached in accordance with the provisions of the act, for an equitable division of all property belonging to the Territory of Dakota, the disposition of all public records, and also for the apportionment of the debts and liabilities of said Territory, and that each of said States should obligate itself to pay its proportion of such debts and liabilities the same as if they had been created by such States respectively;

And whereas it was provided by said act that at the election for delegates to the constitutional convention in South Dakota, as therein provided, each elector might have written or printed on his ballot these words, "For the Sioux Falls constitution." or the words "against the Sioux Falls constitution;" that the votes on this question should be returned and canvassed in the same manner

as the votes for the election of delegates; and, if a majority of all votes cast on this question should be "for the Sioux Falls constitution" it should be the duty of the convention which might assemble at Sioux Falls, as provided in the act, to resubmit to the people of South Dakota, for ratification or rejection, at an election provided for in said act, the constitution framed at Sioux Falls and adopted November 3, 1885, and also the articles and propositions separately submitted at that election, including the question of locating the temporary seat of government, with such changes only as related to the name and boundary of the proposed State, to the reapportionment of the judicial and legislative districts, and such amendments as might be necessary in order to comply with the provisions of the act;

And whereas it was provided by said act that the constitution formed for the people of South Dakota should, by an ordinance of the convention forming the same, be submitted to the people of South Dakota at an election to be held therein on the first Tuesday in October, 1889, for ratification or rejection by the qualified voters of said proposed State, and that the returns of said election should be made to the secretary of the Territory of Dakota, who, with the governor and chief justice thereof, or any two of them, should canvass the same, and if a majority of the legal votes cast should be for the constitution the governor should certify the result to the President of the United States, together with a statement of the votes cast thereon and upon separate articles or propositions, and a copy of said constitution, articles, propositions and ordinances;

And whereas it has been certified to me by the governor of the Territory of Dakota that at the aforesaid election for delegates the "Sioux Falls constitution" was submitted to the people of the proposed State of South Dakota, as provided in the said act; that a majority of all the votes cast on this question was "for the Sioux Falls constitution;" and that the said constitution was, at the time prescribed in the act resubmitted to the people of South Dakota, with proper changes and amendments, and has been adopted and ratified by a majority of the qualified voters of said proposed State, in accordance with the conditions prescribed in said act;

And whereas it was also certified to me by the said governor that at the same time that the body of said constitution was submitted to a vote of the people, two additional articles were submitted separately to wit: an article numbered 24 entitled "Prohibition," which received a majority of all the votes cast for and against said article, as well as a majority of all the votes cast for and against the constitution and was adopted: and an article numbered 25, entitled

“Minority representation,” which did not receive a majority of the votes cast thereon or upon the constitution and was rejected;

And whereas a duly authenticated copy of said constitution, additional articles, ordinances and propositions as required by said act, has been received by me:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the State of South Dakota to entitle that State to admission to the Union have been ratified and accepted, and that the admission of the said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this second day of November in the year of our Lord one thousand eight hundred [SEAL.] and eighty-nine, and of the Independence of the United States of America the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

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MONTANA.

Whereas the Congress of the United States did by an act approved on the 22d day of February, 1889, provide that the inhabitants of the Territory of Montana might, upon the conditions prescribed in said act, become the State of Montana.

And whereas it was provided by said act that delegates elected as therein provided, to a constitutional convention in the Territory of Montana, should meet at the seat of government of said Territory; and that after they had met and organized they should declare on behalf of the people of Montana that they adopt the Constitution of the United States; whereupon the said convention should be authorized to form a State government for the proposed State of Montana;

And whereas it was provided by said act that the constitution so adopted should be republican in form and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence; and that the Convention should by an audience irrevocable without

the consent of the United States and the people of said State make certain provisions prescribed in said act.

And whereas it was provided by said act that the constitution thus formed for the people of Montana should, by an ordinance of the convention forming the same, be submitted to the people of Montana at an election to be held therein on the first Tuesday in October, 1889, for ratification or rejection by the qualified voters of said proposed State; and that the returns of said election should be made to the secretary of said Territory, who, with the governor and chief justice thereof, or any two of them, should canvass the same; and if a majority of the legal votes cast should be for the constitution, the governor should certify the result to the President of the United States, together with a statement of the votes cast thereon, and upon separate articles or propositions, and a copy of said constitution, articles, propositions and ordinances.

And whereas it has been certified to me by the governor of said Territory that within the time prescribed by said act of Congress a Constitution for the proposed State of Montana has been adopted and that the same, together with two ordinances connected therewith, has been ratified by a majority of the qualified voters of said proposed State in accordance with the conditions prescribed in said act.

And whereas a duly authenticated copy of said constitution and ordinances, as required by said act, has been received by me:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the provisions of the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the State of Montana to entitle that State to admission to the Union have been ratified and accepted and that the admission of the said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this eighth day of November, in the year of our Lord one thousand eight hundred and [SEAL.] eighty-nine, and of the Independence of the United States of America the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

WASHINGTON.

Whereas the Congress of the United States did by an act approved on the 22d day of February, 1889, provide that the inhabitants of the Territory of Washington might, upon the conditions prescribed in said act, become the State of Washington:

And whereas it was provided by said act that delegates elected as therein provided, to a constitutional convention in the Territory of Washington, should meet at the seat of government of said Territory; and that, after they had met and organized they should declare on behalf of the people of Washington that they adopt the Constitution of the United States; whereupon the said convention should be authorized to form a State government for the proposed State of Washington;

And whereas it was provided by said act that the constitution so adopted should be republican in form and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence; and that the convention should by an ordinance irrevocable without the consent of the United States and the people of said State make certain provisions prescribed in said act;

And whereas it was provided by said act that the constitution thus formed for the people of Washington should, by an ordinance of the convention forming the same, be submitted to the people of Washington at an election to be held therein on the first Tuesday in October, 1889, for ratification or rejection by the qualified voters of said proposed State; and that the returns of said election should be made to the secretary of said Territory, who, with the governor and chief justice thereof, or any two of them, should canvass the same, and if a majority of the legal votes cast should be for the constitution, the governor should certify the result to the President of the United States, together with a statement of the votes cast thereon, and upon separate articles or propositions and a copy of said constitution, articles, propositions and ordinances

And whereas it has been certified to me by the governor of said Territory that within the time prescribed by said act of Congress a constitution for the proposed State of Washington has been adopted and that the same has been ratified by a majority of the qualified voters of said proposed State in accordance with the conditions prescribed in said act;

And whereas it is also certified to me by the said governor that at the same time the body of said constitution was submitted to a



vote of the people two separate articles entitled "Woman's suffrage" and "Prohibition" were likewise submitted, which said separate articles did not receive a majority of the votes cast thereon or upon the constitution and were rejected; also that at the same election the question of the location of a permanent seat of government was so submitted and that no place received a majority of all the votes cast upon said questions;

And whereas a duly authenticated copy of said constitution and articles, as required by said act, has been received by me:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the provisions of the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the State of Washington to entitle that State to admission to the Union have been ratified and accepted and that the admission of the said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this eleventh day of November, in the year of our Lord one thousand eight hundred and [SEAL.] eighty-nine, and of the Independence of the United States of America the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

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#### THE SEAL FISHERIES.

The following provisions of the laws of the United States are hereby published for the information of all concerned:

Section 1956, Revised Statutes, chapter 3, title 23, enacts that—

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory, or in the waters thereof; and every person guilty thereof shall, for each offense, be fined not less than two hundred nor more than one thousand dollars, or imprisoned not more than six months, or both, and all vessels, their tackle, apparel, furniture and cargo, found engaged in violation of this section shall be forfeited, but the Secretary of the Treasury shall have power to authorize the killing of any such mink, marten, sable, or other fur-bearing animal, except fur seals, under such regulations as he may prescribe, and it shall be the duty of the Secretary to prevent the killing of any fur seal, and to provide for the execution of the provisions of this section until it is otherwise provided by law, nor shall he grant any special privileges under this section.

\* \* \* \* \*

Section 3 of the act entitled "An act to provide for the protection of the salmon fisheries of Alaska," approved March 2, 1889, provides that:

SEC. 3. That section 1956 of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Behring Sea, and it shall be the duty of the President at a timely season, in each year, to issue his proclamation, and cause the same to be published for one month at least in one newspaper (if any such there be) published at each United States port of entry on the Pacific coast, warning all persons against entering such waters for the purpose of violating the provisions or said section, and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

Now, therefore, I, Benjamin Harrison, President of the United States, pursuant to the above recited statutes, hereby warn all persons against entering the waters of Bering Sea, within the the dominion of the United States, for the purpose of violating the provisions of said section 1956, Revised Statutes; and I hereby proclaim, that all persons found to be, or have been engaged in any violation of the laws of the United States, in said waters, will be arrested and punished as above provided, and that all vessels so employed, their tackle, apparel, furniture, and cargoes will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-first day of March, one thousand eight hundred and eighty-nine, and of the [SEAL.] Independence of the United States the one hundred and thirteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

MODUS VIVENDI RESPECTING THE FUR-SEAL  
FISHERIES.

Whereas an agreement for a *modus vivendi* between the Government of the United States and the Government of Her Britannic Majesty, in relation to the fur-seal fisheries in Bering Sea, was concluded on the 15th day of June, in the year of our Lord 1891, word for word as follows:

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF HER BRITANNIC MAJESTY FOR A MODUS VIVENDI IN RELATION TO THE FUR-SEAL FISHERIES IN BEHRING SEA.

For the purpose of avoiding irritating differences and with a view to promote the friendly settlement of the questions pending between the two governments touching their respective rights in Behring Sea, and for the preservation of the seal species, the following agreement is made without prejudice to the rights or claims of either party.

(1) Her Majesty's Government will prohibit, until May next, seal killing in that part of Behring Sea lying eastward of the line of demarcation described in article No. 1 of the treaty of 1867 between the United States and Russia, and will promptly use its best efforts to ensure the observance of this prohibition by British subjects and vessels.

(2) The United States Government will prohibit seal killing for the same period in the same part of Behring Sea and on the shores and islands thereof, the property of the United States (in excess of 7,500 to be taken on the islands for the subsistence and care of the natives) and will promptly use its best efforts to ensure the observance of this prohibition by United States citizens and vessels.

(3) Every vessel or person offending against this prohibition in the said waters of Behring Sea outside of the ordinary territorial limits of the United States, may be seized and detained by the naval or other duly commissioned officers of either of the High Contracting Parties, but they shall be handed over as soon as practicable to the authorities of the nation to which they respectively belong, who shall alone have jurisdiction to try the offense and impose the penalties for the same. The witnesses and proofs necessary to establish the offense shall also be sent with them.

(4) In order to facilitate such proper inquiries as Her Majesty's Government may desire to make, with a view to the presentation of the case of that Government before arbitrators, and in expectation that an agreement for arbitration may be arrived at, it is agreed that suitable persons designated by Great Britain will be permitted at any time, upon application, to visit or to remain upon the seal islands during the present sealing season for that purpose.

Signed and sealed in duplicate at Washington, this fifteenth day of June, 1891, on behalf of their respective Governments, by William F. Wharton, Acting Secretary of State of the United States, and Sir Julian Pauncefote, G. C. M. G., K. C. B., H. B. M. Envoy Extraordinary and Minister Plenipotentiary.

WILLIAM F. WHARTON. [SEAL.]

JULIAN PAUNCEFOTE. [SEAL.]

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said agreement to be made public, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this fifteenth day of June, in the year of our Lord one thousand eight hundred and ninety-  
[SEAL.] one, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,  
*Acting Secretary of State.*

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RENEWAL OF THE EXISTING MODUS VIVENDI IN  
BERING SEA.

Whereas a convention between the United States of America and Great Britain for the renewal of the existing *modus vivendi* in Bering Sea was signed by their respective plenipotentiaries at the city of Washington, on the 18th day of April, 1892, the original of which Convention, being in the English language, is word for word as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND GREAT BRITAIN FOR THE  
RENEWAL OF THE EXISTING "MODUS VIVENDI" IN BEHRING'S SEA.

Whereas by a Convention concluded between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the twenty-ninth day of February, one-thousand eight hundred and ninety-two, the High Contracting Parties have agreed to submit to Arbitration, as therein stated, the questions which have arisen between them concerning the jurisdictional rights of the United States in the waters of Behring's Sea and concerning also the preservation of the fur-seal in, or habitually resorting to, the said sea, and the rights of the citizens and subjects of either country as regards the taking of the fur-seal in, or habitually resorting to, the said waters; and whereas the High Contracting Parties, having differed as to what restrictive Regulations for seal-hunting are necessary, during the pendency of such Arbitration, have agreed to adjust such difference in manner hereinafter mentioned, and without prejudice to the rights of either party:

The said High Contracting Parties have appointed as their Plenipotentiaries to conclude a convention for this purpose, that is to say:

The President of the United States of America, James G. Blaine, Secretary of State, of the United States.

And Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Julian Pauncefote, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Honorable Order of the Bath, and Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty to the United States;

Who, after having communicated to each other their respective full powers, found in due and good form, have agreed upon and concluded the following articles:

ARTICLE I.

Her Majesty's Government will prohibit, during the pendency of the Arbitration, seal killing in that part of Behring Sea lying eastward of the line of demarcation described in Article No. I of the Treaty of 1867 between the United States and Russia, and will promptly use its best efforts to ensure the observance of this prohibition by British subjects and vessels.

ARTICLE II.

The United States Government will prohibit seal-killing for the same period in the same part of Behring's Sea, and on the shores and islands thereof, the property of the United States (in excess of seven thousand five hundred to be taken on the islands for the subsistence of the natives), and will promptly use its best efforts to ensure the observance of this prohibition by United States citizens and vessels.

ARTICLE III.

Every vessel or person offending against this prohibition in the said waters of Behring Sea outside of the ordinary territorial limits of the United States, may be seized and detained by the naval or other duly commissioned officers of either of the High Contracting Parties, but they shall be handed over as soon as practicable to the authorities of the Nation to which they respectively belong, who alone shall have jurisdiction to try the offence and impose the penalties for the same. The witnesses and proof necessary to establish the offense shall also be sent with them.

ARTICLE IV.

In order to facilitate such proper inquiries as Her Majesty's Government may desire to make with a view to the presentation of the case and arguments of that Government before the Arbitrators, it is agreed that suitable persons designated by Great Britain will be permitted at any time, upon application, to visit or remain upon the Seal Islands during the sealing season for that purpose.

ARTICLE V.

If the result of the Arbitration be to affirm the right of the British sealers to take seals in Behring Sea within the bounds claimed by the United States, under its purchase from Russia, then compensation shall be made by the United States to Great Britain (for the use of her subjects) for abstaining from the exercise of that right during the pendency of the Arbitration upon the basis of such a regulated and limited catch or catches as in the opinion of the Arbitrators might have been taken without an undue diminution of the seal-herds; and, on the other hand, if the result of the Arbitration shall be to deny the right of British sealers to take seals within the said waters, then compensation shall be made by Great Britain to the United States (for itself, its citizens and lessees) for this agreement to limit the island catch to seven thousand five hundred a season, upon the basis of the difference between this number and such larger catch as in the opinion of the Arbitrators might have been taken without an undue diminution of the seal-herds.

The amount awarded, if any, in either case shall be such as under all the circumstances is just and equitable, and shall be promptly paid.

ARTICLE VI.

This Convention may be denounced by either of the High Contracting Parties at any time after the thirty-first day of October, one thousand eight hundred and ninety-

three, on giving to the other Party two months notice of its termination; and at the expiration of such notice the Convention shall cease to be in force.

ARTICLE VII.

The present Convention shall be duly ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged either at Washington or at London as early as possible.

In faith whereof, we, the respective Plenipotentiaries have signed this Convention and have hereunto affixed our seals.

Done in duplicate at Washington, this eighteenth day of April, one thousand eight hundred and ninety-two.

JAMES G. BLAINE. [SEAL.]  
JULIAN PAUNCEFOLE. [SEAL.]

And whereas the said convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of London on the 7th day of May, 1892:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, to the end that the same, and every article and clause thereof, may be observed in good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this ninth day of May, in the year of our Lord one thousand eight hundred and ninety-  
[SEAL.] two, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

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THE BERING SEA ARBITRATION.

Whereas a convention between the United States of America and Great Britain, providing for an amicable settlement of the questions which have arisen between those Governments concerning the jurisdictional rights of the United States in the waters of the Bering Sea, and concerning also the preservation of the fur-seal in or habitually resorting to the said sea and the rights of the citizens and subjects of either country as regards the taking of fur-

seal in or habitually resorting to the said waters, was signed by their respective plenipotentiaries at the city of Washington on the 29th day of February, 1892, the original of which convention, being in the English language and as amended by the Senate of the United States, is word for word as follows :

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous to provide for an amicable settlement of the questions which have arisen between their respective Governments concerning the jurisdictional rights of the United States in the waters of Behring's Sea, and concerning also the preservation of the fur-seal in, or habitually resorting to, the said sea, and the rights of the citizens and subjects of either country as regards the taking of fur-seal in, or habitually resorting to, the said waters, have resolved to submit to arbitration the questions involved, and to the end of concluding a convention for that purpose have appointed as their respective plenipotentiaries :

The President of the United States of America, James G. Blaine, Secretary of State of the United States ; and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Julian Pauncefote, G. C. M. G., K. C. B., Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States ;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles :

#### ARTICLE I.

The questions which have arisen between the Government of the United States and the government of Her Britannic Majesty concerning the jurisdictional rights of the United States in the waters of Behring's Sea, and concerning also the preservation of the fur-seal in, or habitually resorting to, the said sea, and the rights of the citizens and subjects of either country as regards the taking of fur-seal in, or habitually resorting to, the said waters, shall be submitted to a tribunal of arbitration, to be composed of seven arbitrators, who shall be appointed in the following manner, that is to say : Two shall be named by the President of the United States ; two shall be named by Her Britannic Majesty ; His Excellency the President of the French Republic shall be jointly requested by the High Contracting Parties to name one ; His Majesty the King of Italy shall be so requested to name one ; and His Majesty the King of Sweden and Norway shall be so requested to name one. The seven arbitrators so named shall be jurists of distinguished reputation in their respective countries ; and the selecting powers shall be requested to choose, if possible, jurists who are acquainted with the English language.

In case of the death, absence, or incapacity to serve of any or either of the said arbitrators, or in the event of any or either of the said arbitrators omitting or declining or ceasing to act as such, the President of the United States, or Her Britannic Majesty, or His Excellency the President of the French Republic, or His Majesty the King of Italy, or His Majesty the King of Sweden and Norway, as the case may be, shall name, or shall be requested to name forthwith, another person to act as arbitrator in the place and stead of the arbitrator originally named by such head of a State.

And in the event of a refusal or omission for two months after receipt of the joint request from the High Contracting Parties of His Excellency the President of the French Republic, or His Majesty the King of Italy, or His Majesty the King of Sweden and Norway, to name an arbitrator, either to fill the original appointment or to fill a vacancy as above provided, then in such case the appointment shall be made or the vacancy shall be filled in such manner as the high contracting parties shall agree.

ARTICLE II.

The Arbitrators shall meet at Paris within twenty days after the delivery of the counter cases mentioned in Article IV, and shall proceed impartially and carefully to examine and decide the questions that have been or shall be laid before them as herein provided on the part of the Governments of the United States and Her Britannic Majesty, respectively. All questions considered by the tribunal, including the final decision, shall be determined by a majority of all the arbitrators.

Each of the High Contracting Parties shall also name one person to attend the tribunal as its agent to represent it generally in all matters connected with the arbitration.

ARTICLE III.

The printed case of each of the two parties, accompanied by the documents, the official correspondence, and other evidence on which each relies, shall be delivered in duplicate to each of the Arbitrators and to the Agent of the other party as soon as may be after the appointment of the members of the tribunal, but within a period not exceeding four months from the date of the exchange of the ratifications of this treaty.

ARTICLE IV.

Within three months after the delivery on both sides of the printed case, either party may, in like manner deliver in duplicate to each of the said Arbitrators, and to the Agent of the other party, a counter case, and additional documents, correspondence, and evidence in reply to the case, documents, correspondence, and evidence so presented by the other party.

If, however, in consequence of the distance of the place from which the evidence to be presented is to be procured, either party shall, within thirty days after the receipt by its agent of the case of the other party, give notice to the other party that it requires additional time for the delivery of such counter case, documents, correspondence, and evidence such additional time so indicated, but not exceeding sixty days beyond the three months in this Article provided, shall be allowed.

If in the case submitted to the Arbitrators either party shall have specified or alluded to any report or document in its own exclusive possession, without annexing a copy, such party shall be bound, if the other party thinks proper to apply for it, to furnish that party with a copy thereof; and either party may call upon the other, through the Arbitrators, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance notice thereof within thirty days after delivery of the case; and the original or copy so requested shall be delivered as soon as may be and within a period not exceeding forty days after receipt of notice.

ARTICLE V.

It shall be the duty of the Agent of each party, within one month after the expiration of the time limited for the delivery of the counter case on both sides, to deliver in duplicate to each of the said Arbitrators and to the agent of the other party a printed argument showing the points and referring to the evidence upon which his Government relies, and either party may also support the same before the Arbitrators by oral argument of counsel; and the Arbitrators may, if they desire further elucidation with regard to any point, require a written or printed statement or argument, or oral argument by counsel, upon it; but in such case the other party shall be entitled to reply either orally or in writing, as the case may be.

ARTICLE VI.

In deciding the matters submitted to the Arbitrators, it is agreed that the following five points shall be submitted to them, in order that their award shall embrace a distinct decision upon each of said five points, to wit:

1. What exclusive jurisdiction in the sea now known as the Behring's Sea, and what



exclusive rights in the seal fisheries therein, did Russia assert and exercise prior and up to the time of the cession of Alaska to the United States?

2. How far were these claims of jurisdiction as to the seal fisheries recognized and conceded by Great Britain?

3. Was the body of water now known as the Behring's Sea included in the phrase "Pacific Ocean," as used in the Treaty of 1825 between Great Britain and Russia; and what rights, if any, in the Behring's Sea were held and exclusively exercised by Russia after said Treaty?

4. Did not all the rights of Russia as to jurisdiction, and as to the seal fisheries in Behring's Sea east of the water boundary, in the Treaty between the United States and Russia of the 30th March, 1867, pass unimpaired to the United States under that Treaty?

5. Has the United States any right, and if so, what right of protection or property in the fur-seals frequenting the islands of the United States in Behring Sea when such seals are found outside the ordinary three-mile limit?

#### ARTICLE VII.

If the determination of the foregoing questions as to the exclusive jurisdiction of the United States shall leave the subject in such position that the concurrence of Great Britain is necessary to the establishment of Regulations for the proper protection and preservation of the fur-seal in, or habitually resorting to, the Behring Sea, the Arbitrators shall then determine what concurrent Regulations outside the jurisdictional limits of the respective Governments are necessary, and over what waters such Regulations should extend, and to aid them in that determination the report of a Joint Commission to be appointed by the respective Governments shall be laid before them, with such other evidence as either Government may submit.

The High Contracting Parties furthermore agree to coöperate in securing the adhesion of other Powers to such Regulations.

#### ARTICLE VIII.

The High Contracting Parties having found themselves unable to agree upon a reference which shall include the question of the liability of each for the injuries alleged to have been sustained by the other, or by its citizens, in connection with the claims presented and urged by it; and being solicitous that this subordinate question should not interrupt or longer delay the submission and determination of the main questions, do agree that either may submit to the Arbitrators any question of fact involved in said claims and ask for a finding thereon, the question of the liability of either Government upon the facts found to be the subject of further negotiation.

#### ARTICLE IX.

The High Contracting Parties have agreed to appoint two Commissioners on the part of each Government to make the joint investigation and report contemplated in the preceding Article VII, and to include the terms of the said Agreement in the present Convention, to the end that the joint and several reports and recommendations of said Commissioners may be in due form submitted to the Arbitrators should the contingency therefor arise, the said Agreement is accordingly herein included as follows:

Each Government shall appoint two Commissioners to investigate conjointly with the Commissioners of the other Government all the facts having relation to seal life in Behring's Sea, and the measures necessary for its proper protection and preservation.

The four Commissioners shall, so far as they may be able to agree, make a joint report to each of the two Governments, and they shall also report, either jointly or severally, to each Government on any points upon which they may be unable to agree.

These reports shall not be made public until they shall be submitted to the Arbitrators, or it shall appear that the contingency of their being used by the Arbitrators can not arise.

ARTICLE X.

Each Government shall pay the expenses of its members of the Joint Commission in the investigation referred to in the preceding Article.

ARTICLE XI.

The decision of the tribunal shall, if possible, be made within three months from the close of the argument on both sides.

It shall be made in writing and dated, and shall be signed by the Arbitrators who may assent to it.

The decision shall be in duplicate, one copy whereof shall be delivered to the Agent of the United States for his Government, and the other copy shall be delivered to the Agent of Great Britain for his Government.

ARTICLE XII.

Each Government shall pay its own Agent and provide for the proper remuneration of the counsel employed by it and of the Arbitrators appointed by it, and for the expense of preparing and submitting its case to the tribunal. All other expenses connected with the Arbitration shall be defrayed by the two Governments in equal moieties.

ARTICLE XIII.

The Arbitrators shall keep an accurate record of their proceedings, and may appoint and employ the necessary officers to assist them.

ARTICLE XIV.

The High Contracting Parties engage to consider the result of the proceedings of the tribunal of arbitration, as a full, perfect, and final settlement of all the questions referred to the Arbitrators.

ARTICLE XV.

The present treaty shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratification shall be exchanged either at Washington or at London within six months from the date hereof, or earlier if possible.

In faith whereof we, the respective Plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Washington the twenty-ninth day of February, one thousand eight hundred and ninety-two.

JAMES G. BLAINE. [SEAL.]  
JULIAN PAUNCEFOTE. [SEAL.]

And whereas the said convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of London, on the 7th day of May, 1892:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, as amended, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this ninth day of May, in the year of our Lord one thousand eight hundred and ninety-  
[SEAL.] two, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

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#### RECIPROCITY AGREEMENTS WITH BRAZIL.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of the United States of Brazil the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America;

And whereas the envoy extraordinary and minister plenipotentiary of Brazil at Washington has communicated to the Secretary of State the fact that, in due reciprocity for and consideration of the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Brazil has, by legal enactment, authorized the admission, from and after April 1, 1891, into all the established ports of entry of Brazil, free of all duty, whether national, state, or municipal, of the articles or merchandise named in the following schedule, provided that the same be the product and manufacture of the United States of America.

[Here follows schedule of articles.]

And whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Brazil at Washington that this action of the Government of Brazil in granting exemption of duties to the products and manufactures of the United States of America, is accepted as a due reciprocity for the action of Congress, as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President

of the United States of America, have caused the above-stated modifications of the tariff law of Brazil to be made public for the information of the citizens of the United States of America.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this fifth day of February, one thousand eight hundred and ninety-one, and of the Independence of the United States of America the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*

[Similar proclamations were issued reciting reciprocal agreements as follows: Dominican Republic, August 1, 1891; Spain (for Cuba and Puerto Rico), July 31, 1891; Labrador, December 31, 1891; Germany, February 1, 1892; Great Britain (for certain islands), February 1, 1892; Nicaragua, March 12, 1892; Honduras, April 30, 1892; Guatemala, May 18, 1892. Proclamations were also issued suspending the free admission into the United States of sugar, molasses, coffee, tea, and hides from Venezuela, Haiti, and Colombia.]

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DEATH OF GEN. JOHN C. FREMONT.

EXECUTIVE MANSION,  
*Washington, July 14, 1890.*

The death of John C. Fremont, a major-general on the retired list of the Army of the United States, is an event calling for some appropriate expression of the national sorrow and of a grateful appreciation of his public services. His career was full of adventurous and useful discovery, and of devoted and conspicuous service both in civil and military affairs. He opened the passes of the Rocky Mountains and gave value to his discoveries by aiding to create an American State on the Pacific coast.

It is therefore ordered that the National flag be displayed at half-mast upon all the buildings of the Executive Departments in this city until after the funeral shall have taken place.

By direction of the President:

E. W. HALFORD,  
*Private Secretary.*

DEATH OF GEORGE BANCROFT.

EXECUTIVE MANSION,  
*Washington, January 19, 1891.*

The death of George Bancroft, which occurred in the city of Washington on Saturday, January 17, at 3:40 o'clock p. m., removes from among the living one of the most distinguished Americans.

As an expression of the public loss and sorrow, the flags of all the Executive Departments at Washington and of the public buildings in the cities through which the funeral party is to pass, will be placed at half-mast on to-morrow and until the body of this eminent statesman, scholar, and historian shall rest in the State that gave him to his country and to the world.

By the direction of the President:

ELIJAH W. HALFORD,  
*Private Secretary.*

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DEATH OF HANNIBAL HAMLIN.

EXECUTIVE MANSION,  
*July 6, 1891.*

*To the People of the United States:*

The President, with a profound feeling of sorrow, announces the death of Hannibal Hamlin, at one time Vice-President of the United States, who died at Bangor, Me., on the evening of Saturday, July 4.

Few men in this country have filled more important and more distinguished public positions than Mr. Hamlin, and in recognition of his many eminent and varied services, and as an expression of the great respect and reverence which are felt for his memory, it is ordered that the National flag be displayed at half-mast upon the public buildings of the United States on the day of his funeral.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,  
*Acting Secretary of State.*

DEATH OF EX-PRESIDENT HAYES.

EXECUTIVE MANSION,  
*Washington, D. C., January 18, 1893.*

*To the People of the United States:*

The death of Rutherford B. Hayes, who was President of the United States from March 4, 1877, to March 4, 1881, at his home in Fremont, Ohio, at 11 p. m. yesterday is an event the announcement of which will be received with very general and very sincere sorrow. His public service extended over many years and over a wide range of official duty. He was a patriotic citizen, a lover of the flag and of our free institutions, an industrious and conscientious civil officer, a soldier of dauntless courage, a loyal comrade and friend, a sympathetic and helpful neighbor, and the honored head of a happy Christian home. He has steadily grown in the public esteem, and the impartial historian will not fail to recognize the conscientiousness, the manliness, and the courage that so strongly characterized his whole public career.

As an expression of the public sorrow, it is ordered that the Executive Mansion and the several Executive Departments at Washington be draped in mourning and the flags thereon placed at half-staff, for a period of thirty days, and that on the day of the funeral all public business in the Departments be suspended and that suitable military and naval honors under the orders of the Secretaries of War and of the Navy be rendered on that day.

Done at the city of Washington this 18th day of January, in the year of our Lord one thousand eight hundred and ninety-  
[SEAL.] three and of the Independence of the United States of America the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,  
*Secretary of State.*

DEATH OF HON. JAMES G. BLAINE.

EXECUTIVE MANSION,  
Washington, January 27, 1893.

*To the People of the United States:*

It is my painful duty to announce to the people of the United States the death of James Gillespie Blaine, which occurred in this city to-day at 11 o'clock.

For a full generation this eminent citizen has occupied a conspicuous and influential position in the nation. His first public service was in the legislature of his State. Afterwards for fourteen years he was a member of the national House of Representatives, and was three times chosen its Speaker. In 1876 he was elected to the Senate. He resigned his seat in that body in 1881 to accept the position of Secretary of State in the Cabinet of President Garfield. After the tragic death of his chief, he resigned from the Cabinet, and, devoting himself to literary work, gave to the public in his "Twenty Years of Congress," a most valuable and enduring contribution to our political literature. In March, 1889, he again became Secretary of State, and continued to exercise this office until June, 1892. His devotion to the public interests, his marked ability, and his exalted patriotism have won for him the gratitude and affection of his countrymen and the admiration of the world. In the varied pursuits of legislation, diplomacy, and literature his genius has added new luster to American citizenship.

As a suitable expression of the national appreciation of his great public services and of the general sorrow caused by his death, I direct that on the day of his funeral all the Departments of the executive branch of the Government at Washington be closed and that on all public buildings throughout the United States the national flag shall be displayed at half-staff; and that for a period of thirty days the Department of State be draped in mourning.

Done at the city of Washington this twenty-seventh day of January in the year of our Lord one thousand eight hundred [SEAL.] and ninety-three and of the Independence of the United States of America the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,  
*Secretary of State.*

## SPEECHES AND LETTERS.

### THE WASHINGTON CENTENNIAL.

[At New York Subtreasury, April 30, 1889.]

Mr. Chairman, my countrymen: Official duty of a very exacting character has made it quite impossible that I should deliver an address on this occasion. Foreseeing this, I early notified your committee that the programme must not contain any address by me. The selection of Mr. Depew as the orator of this occasion makes further speech not only difficult, but superfluous. He has met the demand of this great occasion on its own high level. He has brought before us the incidents and the lessons of the first inauguration of Washington. We seem to have been a part of that admiring and almost adoring throng that filled these streets one hundred years ago.

We have come into the serious, but always inspiring, presence of Washington. He was the incarnation of duty, and he teaches us to-day this great lesson: That those who would associate their names with events that shall outlive a century can only do so by high consecration to duty. Self-seeking has no public observance or anniversary. The captain who gives to the sea his cargo of goods, that he may give safety and deliverance to his imperiled fellowmen, has fame; he who lands the cargo has only wages. Washington seemed to come to the discharge of the duties of his high office impressed with a great sense of his unfamiliarity with these new calls thrust upon him, modestly doubtful of his own ability, but trusting implicitly in the sustaining helpfulness and grace of that God who rules the world, presides in the councils of nations, and is able to supply every human defect. We have made marvelous progress in material things since then, but the stately and enduring shaft that we have erected at the national capital at Washington symbolizes the fact that he is still the First American Citizen.

[At the Banquet, Metropolitan Opera House—Evening.]

Mr. President and fellow-citizens: I should be unjust to myself, and, what is more serious, I should be unjust to you, if I did not at this first and last opportunity express to you the deep sense of obligation and thankfulness which I feel for these many personal and



official courtesies which have been extended to me since I came to take part in this celebration. The official representatives of the State of New York and of this great city have attended me with the most courteous kindness, omitting no attention that could make my stay among you pleasant and gratifying. From you and at the hands of those who have thronged the streets of the city to-day I have received the most cordial expressions of good will. I would not, however, have you understand that these loud acclaims have been in any sense appropriated as a personal tribute to myself. I have realized that there was in this occasion and all these interesting incidents which have made it so profoundly impressive to my mind that which was above and greater than any living man. I have realized that the tribute of cordial interest which you have manifested was rendered to that great office which, by the favor of a greater people, I now exercise, rather than to me.

The occasion and all of its incidents will be memorable not only in the history of your own city, but in the history of our country. New York did not succeed in retaining the seat of National Government here, although she made liberal provision for the assembling of the first Congress in the expectation that the Congress might find its permanent home here. But though you lost that which you coveted, I think the representatives here of all the States will agree that it was fortunate that the first inauguration of Washington took place in the State and city of New York.

For where in our country could the centennial of the event be so worthily celebrated as here? What seaboard offered so magnificent a bay on which to display our merchant and naval marine? What city offered thoroughfares so magnificent, or a people so great, so generous, as New York has poured out to-day to celebrate that event?

I have received at the hands of the committee who have been charged with the details—onerous, exacting, and too often unthankful—of this demonstration evidence of their confidence in my physical endurance.

I must also acknowledge still one other obligation. The committee having in charge the exercises of this event have also given me another evidence of their confidence, which has been accompanied with some embarrassment. As I have noticed the progress of this banquet, it seemed to me that each of the speakers had been made acquainted with his theme before he took his seat at the banquet, and that I alone was left to make acquaintance with my theme when I sat down to the table. I prefer to substitute for the official title which is upon the programme the familiar and fireside expression, "Our Country."

I congratulate you to-day, as one of the instructive and interesting features of this occasion, that these great thoroughfares dedicated to trade have closed their doors and covered up the insignias of commerce; that your great exchanges have closed and your citizens given themselves up to the observance of the celebration in which we are participating.

I believe that patriotism has been intensified in many hearts by what we have witnessed to-day. I believe that patriotism has been placed in a higher and holier fane in many hearts. The bunting with which you have covered your walls, these patriotic inscriptions, must go down and the wage and trade be resumed again. Here may I not ask you to carry those inscriptions that now hang on the walls into your homes, into the schools of your city, into all of your great institutions where children are gathered, and teach them that the eye of the young and the old should look upon that flag as one of the familiar glories of every American? Have we not learned that no stocks and bonds, nor land, is our country? It is a spiritual thought that is in our minds—it is the flag and what it stands for; it is the fireside and the home; it is the thoughts that are in our hearts, born of the inspiration which comes with the story of the flag, of martyrs to liberty. It is a graveyard into which a common country has gathered the unconscious deeds of those who died that the thing might live which we love and call our country, rather than anything that can be touched or seen.

Let me add a thought due to our country's future. Perhaps never have we been so well equipped for war upon land as now, and we have never seen the time when our people were more smitten with the love of peace. To elevate the morals of our people; to hold up the law as that sacred thing which, like the ark of God of old, may not be touched by irreverent hands, but frowns upon any attempt to dethrone its supremacy; to unite our people in all that makes home comfortable, as well as to give our energies in the direction of material advancement, this service may we render. And out of this great demonstration let us draw lessons to inspire us to consecrate ourselves anew to this love and service of our country.

## THE JOHNSTOWN DISASTER.

[Willard Hall, Washington, June 4, 1889.]

My fellow-citizens: Everyone here to-day is distressingly conscious of the circumstances which have convened this meeting. It would be wholly superfluous for me to attempt to set before you more impressively than the newspapers have already done the horrors attending the calamity which has fallen upon the city of Johnstown and the neighboring hamlets in a large section of Pennsylvania situated on the Susquehanna River. The grim pencil of Doré would be inadequate to portray the distress and horrors of this visitation. In such meetings as we have to-day here in the national capital, and other like gatherings that are taking place in all the cities of this land, we have the only relief to the distress and darkness of the picture. When such calamitous visitations fall upon any section of our country we can only put about the dark picture the golden border of love and charity. It is in such fires as this that the brotherhood of men is welded. And where more appropriately than here at the national capital can we give expression to that sympathy and brotherhood which is now so strongly appealed to by the distress of large bodies of our fellow-citizens?

I am glad to say that early this morning, from a city not long ago visited with pestilence, and not long ago appealing to the charity of the philanthropic people of the whole land for relief—the city of Jacksonville, Fla.—there came the reflex, the ebb of that tide of charity which flowed toward them, in a telegram from the chairman of the relief association of that city authorizing me to draw upon them for \$2,000 for the relief of the sufferers at Johnstown.

But this is no time for speech. While I talk men and women and children are suffering for the relief which we plan to give to-day.

A word or two of practical suggestion and I will place this meeting in the hands of those who have assembled here to give effect to our loving purposes. I have to-day had a dispatch from the governor of Pennsylvania advising me that communication has just been opened with Williamsport, on a branch of the Susquehanna River, and that the losses in that section have been appalling; that thousands of people there are hungry and homeless and penniless, and there is immediate urgency for food to relieve their necessities, and he advises me that any supplies of food that can be hastily gathered here should be sent direct to Williamsport, where they

will be distributed. I suggest, therefore—and the occasion is such that bells might be rung in your streets to call the attention of the thoughtless to this great exigency—that a committee should be appointed to speedily collect contributions of food in order that a train loaded with provisions might be dispatched to-night or in the early morning to these sufferers.

I suggest, secondly, that as many of these people have had the entire furniture of their houses swept away, and have now only a temporary shelter, that a committee be appointed to collect from your citizens such articles of clothing, especially bedclothing, as can be spared; and, now that the summer season is on, there can hardly be many households in Washington that can not spare a blanket or a coverlid for the relief of the suffering ones.

I suggest, thirdly, that, of your substantial business people, bankers, and others, there be appointed a committee, who shall collect money; for, after the first exigency has passed, there will be found in those communities very many who have lost their all, who will need aid in the reconstruction of their demolished homes and in furnishing them in order that they may be again inhabited.

Need I say, in conclusion, that as a temporary citizen of Washington it would give me great satisfaction if the national capital should so generously respond to this call of our distressed fellow-citizens as to be conspicuous among the cities of the land for its ample and generous answer.

I feel, as I am calling for subscriptions, that I should say that on Saturday, on being first apprised of the need at Johnstown, I telegraphed to the mayor of that city my subscription. I do not care now or at any time to speak of anything that is so personal as this, but I felt it due to you, as I am placed here to-day to solicit and urge others to give, that I should say so much as that.

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#### G. A. R. NATIONAL ENCAMPMENT.

[Boston, Mass., August 12, 1889.]

Mr. Chairman and Comrades of the Grand Army of the Republic: I had impressions both pleasurable and painful as I looked upon the great procession of veterans which swept through the streets of this historic capital to-day; pleasurable in the contemplation of so many faces of those who shared together the perils and glories of the great struggle for the Union; sensations of a mournful sort as I thought how seldom we should meet again. Not many times

more here. As I have stood in the great National Cemetery at Arlington and have seen those silent battalions of the dead, I have thought how swiftly the reaper is doing his work and how soon in the scattered cemeteries of the land the ashes of all the soldiers of the great war shall be gathered to honored graves. And yet I could not help but feel that in the sturdy tread of those battalions there was yet strength of heart and limb that would not be withheld if a present peril should confront the Nation that you love. And if Arlington is the death, we see to-day in the springing step of those magnificent battalions of the Sons of Veterans the resurrection. They are coming on to take our places; the Nation will not be defenseless when we are gone, but those who have read about the firesides of the veterans' homes, in which they have been born and reared, the lessons of patriotism and the stories of heroism will come fresh armed to any conflict that may confront us in the future.

And so to-night we may gather from this magnificent spectacle a fresh and strong sense of security for the permanency of our country and our free institutions. I thought it altogether proper that I should take a brief furlough from official duties at Washington to mingle with you here to-day as a comrade, because every President of the United States must realize that the strength of the Government, its defense in war, the army that is to muster under its banner when our nation is assailed, is to be found here in the masses of our people. And so, as my furlough is almost done, and the train is already waiting that must bear me back to Washington, I can only express again the cordial, sincere, and fraternal interest which I feel this day in meeting you all. I can only hope that God will so order the years that are left to you that for you and those who are dear to you they may be ordered in all gentleness and sweetness, in all prosperity and success, and that, when at last the comrades who survive you shall wrap the flag of the Union about your body and bear it to the grave, you may die in peace and in the hope of a glorious resurrection.

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#### SOLDIERS AND SAILORS' MONUMENT.

[At Indianapolis, August 22, 1889.]

Mr. President and fellow-citizens: I did not expect to make any address on this occasion. It would have been pleasant, if I could have found leisure to make suitable preparation, to have accepted the invitation of the committee having these exercises in charge to deliver an oration. I would have felt it an honor to associate my

name with an occasion so great as this. Public duties, however, prevented the acceptance of the invitation, and I could only promise to be present with you to-day. It seemed to me most appropriate that I should take part with my fellow-citizens of Indiana in this great ceremony. There have been few occasions in the history of our State so full of interest, so magnificent, so inspiring, as that which we now witness. The suggestion that a monument should be builded to commemorate the valor and heroism of those soldiers of Indiana who gave their lives for the flag attracted my interest from the beginning. Five years ago last January, when the people assembled in the opera house yonder to unveil the statue which had been worthily set up to our great war governor, I ventured to express the hope that near by it, as a twin expression of our great sentiment, there might be builded a noble shaft, not to any man, not to bear on any of its majestic faces the name of a man, but a monument about which the sons of veterans, the mothers of our dead, the widows that are yet with us, might gather, and, pointing to the stately shaft, say: "There is his monument." The hope expressed that day is realized now.

I congratulate the people of Indiana that our legislature has generously met the expectations of our patriotic people. I congratulate the commission having this great work in charge that they have secured a design which will not suffer under the criticism of the best artists of the world. I congratulate you that a monument so costly as to show that we value that which it commemorates, so artistic as to express the sentiment which evoked it, is to stand in the capital of Indiana. Does anyone say there is wastefulness here? My countrymen, \$200,000 has never passed, and never will pass, from the treasury of Indiana that will give a better return than the expenditure for the erection of this monument. As I have witnessed these ceremonies and listened to these patriotic hymns I have read in the faces of the men who stand about me that lifting up of the soul, that kindling of patriotic fire, that has made me realize that on such occasions the nation is laying deep and strong its future security.

This is a monument by Indiana to Indiana soldiers. But I beg you to remember that they were only soldiers of Indiana until the enlistment oath was taken; that from that hour until they came back to the generous State that had sent them forth they were soldiers of the Union. So that it seemed to me not inappropriate that I should bring to you to-day the sympathy and cheer of the loyal people of all the States. No American citizen need avoid it or pass it with unsympathetic eyes, for, my countrymen, it does not

commemorate a war of subjugation. There is not in the United States to-day a man who, if he realizes what has occurred since the war and has opened his soul to the sight of that which is to come, who will not feel that it is good for all our people that victory crowned the cause which this monument commemorates. I do seriously believe that if we can measure among the States the benefits resulting from the preservation of the Union, the rebellious States have the larger share. It destroyed an institution that was their destruction. It opened the way for a commercial life that, if they will only embrace it and face the light, means to them a development that shall rival the best attainments of the greatest of our States.

And now let me thank you for your pleasant greeting. I have felt lifted up by this occasion. It seems to me that our spirits have been borne up to meet those of the dead and glorified, and that from this place we shall go to our homes more resolutely set in our purpose as citizens to conserve the peace and welfare of our neighborhoods, to hold up the dignity and honor of our free institutions, and to see that no harm shall come to our country, whether from internal dissensions or from the aggressions of a foreign foe.

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TO PAN-AMERICANS, APRIL 19, 1890.

[In the Executive Mansion.]

Gentlemen: I find in this parting call of the delegates of the Conference of American States both pain and pleasure. I participate in the regret which the delegates from the United States feel who are to part with those from other countries. I take pleasure in the knowledge of the fact that your labors have been brought to a happy conclusion. The differences of opinion have been happily reconciled. I remark with pleasure the proposition which will be productive of peace among the American States represented in the conference. It will be without excuse if one of them shall lift a hostile hand against the other. We gave you the other day a review of the small detachment of the American army—not to show you that we have an army, but that we have none; that our securities are lodged with our people and that they are safe.

We rejoice that you have found in the organization of our country something which commends itself to your own. We shall be glad to receive new lessons in return. In conclusion, I find much to approve in the friendly purposes of the Conference toward this Government, and I bid each and every one of you a heartfelt good-bye.

### THE GARFIELD STATUE.

[At Cleveland, Ohio, May 30, 1890.]

Mr. Chairman and fellow-citizens: I thank you most sincerely for this cordial greeting, but I shall not be betrayed by it into a lengthy speech. The selection of this day for these exercises—a day consecrated to the memory of those who died that there might be one flag of honor and authority in this republic—is most fitting. That one flag encircles us with its folds to-day, the unrivaled object of our loyal love.

This monument, so imposing and tasteful, fittingly typifies the grand and symmetrical character of him in whose honor it has been builded. His was "the arduous greatness of things done." No friendly hands constructed and placed for his ambition a ladder upon which he might climb. His own brave hands framed and nailed the cleats upon which he climbed to the heights of public usefulness and fame. He never ceased to be student and instructor. Turning from peaceful pursuits to army service, he quickly mastered tactics and strategy, and in a brief army career taught some valuable lessons in military science. Turning again from the field to the councils of the state, he stood among the great debaters that have made our National Congress illustrious. What he might have been or done as President of the United States is chiefly left to friendly augury, based upon a career that had no incident of failure or inadequacy. The cruel circumstances attending his death had but one amelioration—that space of life was given him to teach from his dying bed a great lesson of patience and forbearance. His mortal part will find honorable rest here, but the lessons of his life and death will continue to be instructive and inspiring incidents in American history.

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### THE BENNINGTON MONUMENT.

[At Bennington, Vermont, August 18, 1890.]

Mr. President and fellow-citizens: There are several obvious reasons why I should not attempt to speak to you at this time. This great audience is so uncomfortably situated that a further prolongation of these exercises can not be desirable, but the stronger reason is that you have just listened with rapt attention to a most scholarly and interesting review of those historical incidents which have suggested this assemblage and to those lessons which they



furnish to thoughtful and patriotic men. A son of Vermont, honored by his fellow-citizens, honored by the nation which he has served in distinguished public functions, honored by the profession of which he is an ornament and an instructor, has spoken for Vermont; and it does not seem to me fit that these golden sentences should be marred by any extemporaneous words which I can add. I come to you under circumstances that altogether forbid preparation. I have no other preparation for speech than this inspiring cup of good-will which you have presented to my lips. The most cordial welcome which has been extended to me to-day makes it unfitting that I should omit to make a cordial acknowledgment of it. Perhaps I may be permitted, as a citizen of a Western State, to give expression to the high regard and honor in which Vermont is held. Perhaps I may assume, as a public officer representing in some sense all the States of the Union, to bring to-day their appreciation of the history and people of this patriotic State. Its history is unique, as Mr. Phelps has said. The other colonies staked their lives, their fortunes and honor upon the struggle for independence, with the assurance that if, by their valor and sacrifice, independence was achieved, all these were assured. The inhabitants of the New Hampshire grants alone fought with their fellow-countrymen of the colonies for liberty, for political independence, unknowing whether, when it had been achieved, the property, the homes upon which they dwelt, would be assured by the success of the confederate colonies. They could not know — they had the gravest reason to fear — that when the authority of the confederation of the States had been established this very Government, to whose supremacy Vermont had so nobly contributed, might lend its authority to the establishment of the claims of New York upon their homes; and yet, in all this story, though security of property would undoubtedly have been pledged by the royal representative, Vermont took a conspicuous, unselfish, and glorious part in achieving the independence of the united colonies, trusting to the justice of her cause for the ultimate security of the homes of her people.

It is a most noble and unmatched history; and if I may deliver the message of Indiana as a citizen of that State, and as a public officer the message of all the States, I came to say, "Worthy Vermont!" She has kept the faith unflinchingly from Bennington until this day. She has added, in war and peace, many illustrious names to our roll of military heroes and of great statesmen. Her representation in the National Congress, as it has been known to me, has been conspicuous for its influence, for the position it has assumed in committee and in debate, and so far as I can recall, has been

without personal reproach. We have occasionally come to Vermont with a call that did not originate with her people, and those have been answered with the same pure, high consecration to public duty as has been the case with those who have been chosen by your suffrages to represent the State, and I found when the difficult task of arranging a Cabinet was devolved upon me that I could not get along without a Vermont stick in it, and I am sure you have plenty of timber left in each of the great political parties. The participation of this State in the war of the rebellion was magnificent. Her troops took to the fields of the South that high consecration to liberty which had characterized their fathers in the Revolutionary struggle. They did not forget, on the hot savannas of the South, the green tops of these hills, ever in their vision lifting up their hearts in faith that God would again bring the good cause of freedom to a just issue. We are to-day approaching the conclusion of a summer of extraordinary fruitfulness. How insignificant the stores that were gathered at Bennington in 1777 compared with these great storehouses bursting with fullness to-day! Our excess meets the deficiency of Europe, and a ready market is offered for all our cereals. We shall grow richer by contributions which other countries shall make as they take from our storehouses the food needed to sustain their people. But after all, it is not the census tables of production or of wealth that tell the story of the greatness of this country. Vermont has not been one of the rich States of the Union in gold and silver, and its lands have not given the returns that some of the fertile riversides of the West yield. There has been here constant effort and honest toil; but out of all this there has been brought a sturdy manhood, which is better than riches, on which rather than on wealth the security of our country rests. I beg you to accept my sincere thanks again for the evidence of your friendliness, and my apology that the conditions are not such as to enable me to speak as I could wish.

[At the Afternoon Banquet.]

Mr. President and fellow-citizens: Whatever temporary injury my voice has suffered was not at the hands of Vermont. New York is responsible. In Albany I spoke in the rain to a large assemblage. Perhaps, if it were worth while to trace this vocal infirmity further, I might find its origin at Cape May, for I think I started upon this trip with the elements of a cold that has to some degree marred the pleasure which I had anticipated to-day. But, notwithstanding what my friend, General Veazey, has described as "the dilapidated condition" of my voice, I will respond to his request to say a word to you.

I know that General Veazey had been put in charge of the transportation lines of the country; but I did not expect to find him in charge of what the boys used to call the "cracker line." It seems that his capacity for usefulness in the public service is so great and so diversified that you have called upon him to conduct the exercises of this magnificent occasion. He is a most excellent Interstate Commerce Commissioner, an honor to your State, and I have no criticism of him as president of the day, except that he calls too much attention to me.

This scene, these tables so bountifully and so tastefully spread, was one full of beauty when we entered, but it seems now to have taken on some of that "dilapidation" which General Veazey ascribed to my voice. I am sure that if the supplies gathered at Bennington to-day had been here in 1777 that struggle would have been much more obstinate. But, my fellow-citizens, there is much in this occasion that is full of instruction to the strangers who by your hospitable invitation have the privilege of meeting with you. Wherever men may have been born within this galaxy of great States, which makes the greater Union, there is respect and honor for the New England character. It has been a source of strength to the nation in its development in material things. It has furnished to literature and to invention some of the largest contributions; but, more than all this, it has done a great work for all the States, and especially those States of the West and Northwest in which its enterprising sons have found new homes, in establishing everywhere a love of social order and a patriotic devotion to the Union of States. If we seek to find the institutions of New England that have formed the character of its own people and have exercised a stronger molding influence than that of any other section upon our whole people we shall find them, I think, in their temples, in their schools, in their town meetings, and in their God-fearing homes. The courage of those who fought at Bennington, at Concord, Lexington, Bunker Hill, and Saratoga was born of a high trust in God. They were men who, fearing God, had naught else to fear. That devotion to local self-government which originated and for so long maintained the town meeting, establishing and perpetuating a true democracy, an equal, full participation and responsibility in all public affairs on the part of every citizen, was the cause of the development of the love of social order and respect for law which has characterized your communities, has made them safe and memorable abodes for your people. These migrations between the States have been to your loss, but there is now a turning back to these States of New England and to some of its unused farms, which I believe is to

continue and increase. The migration which you have sent into the South to develop its industries, to open its mines, to set up factories and furnaces, is doing marvelous work in unifying our people. As I journeyed recently across the continent this oneness of our people was strongly impressed upon me. I think these centennial observances which have crowded one upon another from Concord to the centennial of the adoption of the Constitution and the organization of the Supreme Court have turned the thought of our people to the most inspiring incident in our history, and have greatly intensified and developed our love of the flag and our Constitution. I do not believe there has been a time in our history when there has been a deeper, fonder love for the unity of the States, for the flag that emblemizes this unity, and for the Constitution which cements it.

I believe we have come to a time when we may look out to greater things. Secure in our institutions, enriched almost beyond calculation, I believe we have reached a time when we may take a large part in the great transactions of the world. I believe our people are prepared now to insist that the American flag shall again be seen upon the sea, and that our merchants and manufacturers are ready to seize the golden opportunity that is now offered for extending our commerce into the States of Central and South America. I believe that conservative views of finance will prevail in this country. I am sure discontent and temporary distress will not tempt our people to forsake those safe lines of public administration in which commercial security alone rests. As long as the general Government furnishes the money of the people for their great business transactions I believe we will insist, as I have said before, that every dollar issued, whether paper or coin, shall be as good and be kept as good as any other dollar that issues. The purity, the equality of what we call dollars must be preserved, or an element of uncertainty and of bankruptcy will be introduced into all business transactions. This I may say without crossing lines of division. How this end is to be attained I will not attempt to sketch, but I do not hesitate to say that I feel myself, in the public interest, pledged so far as in me lies to maintain that equality between our circulating money that is essential to the perfect use of all.

I have gone beyond the promise of the president of the day, and have been betrayed by your friendliness into speaking two or three words. May I, in closing, tender to these good women of Vermont my thanks for the grace and sweetness which their services and their presence have lent to this happy occasion? May I say to them that the devoted services of their mothers, their courage and patience

and helpfulness shown by the women in the great struggle for liberty can not be too highly appreciated? It was an easier fate to march with bared breasts against the Hessian ramparts at Bennington than to sit in the lonely homestead awaiting the issue with tearful eyes uplifted to God in prayer for those who periled their lives for the cause. All honor to the New England mother, the queen of the New England home! There, in those nurseries of virtue and truth, have been found the strongest influences that have molded your people for good and led your sons to honor.

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LETTER TO WESTERN STATES COMMERCIAL CONGRESS.

WASHINGTON, *April 7, 1891.*

Hon. H. B. KELLY,  
*Chairman, Kansas City, Mo.:*

DEAR SIR: I have the honor to acknowledge the receipt of your letter of March 24, inviting me to attend the meeting of the commercial congress of the Western agricultural and mining States, to assemble in Kansas City, April 14 to 19, for the purpose of considering measures affecting the general agricultural and business prosperity of the Mississippi Valley States. I regret that it will not be possible for me to accept this invitation. If I am not detained here by public business I shall probably start about that time for the Pacific coast by the Southern route; and if that purpose should be thwarted it will be by considerations that will also prevent the acceptance of your invitation.

A public discussion of the conditions affecting agricultural and business prosperity can not but be helpful if it is conducted on broad lines and is hospitable to differences of opinion. The extraordinary development of the productions of agriculture which has taken place in a recent period in this country by reason of the rapid enlargement of the area of tillage under the favoring land laws of the United States, very naturally has called attention to the value and, indeed, the necessity of larger markets. I am one of those who believe that a home market is necessarily the best market for the producer, as it measurably emancipates him in proportion to its nearness from the exactions of the transportation companies. If the farmer could deliver his surplus produce to the consumer out of his farm wagon his independence and his profits would be larger and surer. It seems to me quite possible to attain a largely increased market for our staple farm products without

impairing our home market by opening the manufacturing trades to a competition in which foreign producers, paying a lower scale of wages, would have the advantage. A policy that would reduce the number of our people engaged in mechanical pursuits or diminish their ability to purchase food products by reducing wages can not be helpful to those now engaged in agriculture. The farmers insist that the prices of farm products have been too low — below the point of fair living and fair profits. I think so too, but I venture to remind them that the plea they make involves the concession that things may be too cheap. A coat may be too cheap as well as corn. The farmer who claims a good living and profits for his work should concede the same to every other man and woman who toils.

I look with great confidence to the completion of further reciprocal trade arrangements, especially with the Central and South American States, as furnishing new and large markets for meats, breadstuffs, and an important line of manufactured products. Persistent and earnest efforts are also being made, and a considerable measure of success has already been attained, to secure the removal of restrictions which we have regarded as unjust upon the admission and use of our meats and live cattle in some of the European countries. I look with confidence to a successful termination of the pending negotiations, because I can not but assume that when the absolutely satisfactory character of the sanitary inspections now provided by our law is made known to those foreign states they will promptly relax their discriminating regulations. No effort and none of the powers vested in the Executive will be left unused to secure an end which is so desirable.

Your deliberations will probably also embrace consideration of the question of the volume and character of our currency. It will not be possible and would not be appropriate for me in this letter to enter upon any elaborate discussion of these questions. One or two things I will say, and first, I believe that every person who thoughtfully considers the question will agree with me upon a proposition which is at the base of all my consideration of the currency question, namely, that any dollar, paper or coin, that is issued by the United States must be made and kept in its commercial uses as good as any other dollar. So long as any paper money issued or authorized by the United States Government is accepted in commercial use as the equivalent of the best coined dollar that we issue, and so long as every coined dollar, whether of silver or gold, is assured of an equivalent value in commercial use, there need be no fear as to an excess of money. The more such money

the better. But, on the other hand, when any issue of paper or coined dollars is, in buying and selling, rated at a less value than other paper or coined dollars, we have passed the limit of safe experiment in finance. If we have dollars of differing values, only the poorest will circulate. The farmer and the laborer, who are not in hourly touch with the ticker of the telegraph, will require, above all other classes of our community, a dollar of full value. Fluctuations and depreciations are always at the first cost of these classes of our community. The banker and the speculator anticipate, discount, and often profit by such fluctuations. It is very easy, under the impulse of excitement of the stress of money stringency, to fall into the slough of a depreciated or irredeemable currency. It is a very painful and slow business to get out when once in.

I have always believed, and do now more than ever believe, in bimetalism, and favor the fullest use of silver in connection with our currency that is compatible with the maintenance of the parity of the gold and silver dollars in their commercial uses. Nothing, in my judgment, would so much retard the restoration of the free use of silver by the commercial nations of the world as legislation adopted by us that would result in placing this country upon a basis of silver monometalism. The legislation adopted by the first session of the Fifty-first Congress I was assured by leading advocates of free coinage—representatives of the silver States—would promptly and permanently bring silver to \$1.29 per ounce and keep it there. That anticipation has not been realized. Our larger use of silver has apparently, and for reasons not yet agreed upon, diminished the demand for silver in China and India.

In view of the fact that it is impossible in this letter to elaborate, and that propositions only can be stated, I am aware that what I have said may be assailed in points where it is easily defensible, but where I have not attempted to present the argument.

I have not before, excepting in an official way, expressed myself on these subjects; but feeling the interest, dignity, and importance of the assemblage in whose behalf you speak, I have ventured, without bigotry of opinion, without any assumption of infallibility, but as an American citizen, having a most earnest desire that every individual and every public act of my life shall conduce to the glory of our country and the prosperity of all our people, to submit these views for your consideration.

Very respectfully,

BENJ. HARRISON.

DECORATION DAY CEREMONIES.

[In Independence Hall, Philadelphia, May 30, 1891.]

Mr. Mayor, comrades of the Grand Army of the Republic, and fellow-citizens: I esteem it a great pleasure to stand in this historic edifice, in this historic city, to take part to-day as a comrade of the Grand Army of the Republic in these instructive and interesting exercises, which have been instituted to keep alive in our hearts the memories of patriotic devotion and sacrifice. It is eminently appropriate that we should stand for a little before we go to the graves of our dead in this edifice where the foundation declarations of independence and of civil government were made and put into that course of development which has brought our nation to its present position of prosperity and of influence among the nations of the earth.

I have recently, in an extended trip, been able to see what the flower is of the seed that was planted here. We are here, in Philadelphia, a community instituted upon the principles of peace and good will among men; and yet, in a community that had given conspicuous illustration of the fact that the fruits of peace may sometimes be made to be defended by the valor of soldiers, you did not at all depart from the great lessons which were taught by the founders of this great colony, when, uniting with your comrades from all the States, you went out into the field to hold up this banner; to maintain a peace which should be perpetual and pervading in all the States. Obedience to law is the first element of domestic peace and social order. You went out to maintain, and have established, as I believe, again in the affections of all our people, the old flag of our fathers, and have settled perpetually the question of loyal submission to the Constitution and the law in all the States. It has been settled to the great contentment and happiness of all our people, and brought what any other nation could have brought, prosperity to every section and every State.

I appreciate most highly this generous welcome which you extend to me, and shall take part in these exercises of the day with a sense of their fitness and of the great events which they commemorate.

I have never been able to think of the day as one of mourning; I have never quite been able to feel that half-masted flags were appropriate on Decoration Day. I have rather felt that the flag should be at the peak, because those whose dying we commemorate rejoiced in seeing it where their valor placed it. We honor them in a joyous, thankful, triumphant commemoration of what they



did. We mourn for them as comrades who have departed, but we feel the glory of their dying and the glory of their achievement covers all our great country, and has set them in an imperishable roll of honor.

[In the Cemetery, Laurel Hill.]

Commander, comrades of the Grand Army of the Republic and fellow-citizens: I have neither the strength nor the voice adequate to any extended speech to-day. I come to you as a comrade, to take part in the interesting exercises of this Memorial Day. It gives me special pleasure to combine with that tribute, which I have usually been able to pay since this day was instituted, to the dead of all our armies, a special mark of respect to that great soldier who won Gettysburg. It is impossible to separate some impressions of sorrow from the exercises, for they bring to memory comrades who have gone from us. How vividly come to my memory many battle scenes; not the impetuous rush of conflict, but the cover of sadness that followed victory. Then it was our sad duty to gather from the field the bodies of those who had given the last pledge of loyalty. There is open to my vision more than one yawning trench in which we laid the dead of the old brigade. We laid them elbow touching elbow in the order in which they had stood in the line of battle. We left them in the hasty sepulcher and marched on. Now we rejoice that a grateful Government has gathered together the scattered dust of all of these comrades and placed them in beautiful and safe places of honor and repose. I can not but feel that if they could speak to us to-day they would say put the flag at the top of the mast. I have recently returned from an extended tour of the States, and nothing so impressed and so refreshed me as the universal display of this banner of beauty and glory. It waved over every school; it was in the hands of the school children. As we speeded across the sandy wastes at some solitary place, a man, a woman, a child, would come to the door, and wave it in loyal greeting.

Two years ago I saw a sight that has ever been present in my memory. As we were going out of the harbor of Newport, about midnight, on a dark night, some of the officers of the torpedo station had prepared for us a beautiful surprise. The flag at the depot station was unseen in the darkness of the night, when suddenly electric search lights were turned on it, bathing it in a flood of light. All below the flag was hidden, and it seemed to have not touch with earth, but to hang from the battlements of heaven. It was as if heaven was approving the human liberty and human

equality typified by that flag. Let us take on this occasion a new draught of courage, make new vows of consecration, for, my countrymen, it was not because it was inconvenient that the rebel States should go, not that it spoiled the autonomy of the country, but because it was unlawful that all this sacrifice had to be made to bring them back to their allegiance. Let us not forget that as good citizens and good patriots it is our duty always to obey the law, and to give it our loyal support, and insist that everyone else shall do so. There is no more mischievous suggestion made than that the soldiers of the Union Army desire to lay any yoke on those who fought against us, other than the yoke of the law. We can not ask less than that in all relations they shall obey the law, and they shall yield to every other man his full rights under the law.

I thank you for the pleasure of participating in these exercises with you to-day, and give you a comrade's best wishes, and a comrade's good-bye.

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TO THE VERMONT LEGISLATURE, MONTPELIER, VT.

[August 26, 1891.]

Mr. President and gentlemen of the Legislature of the State of Vermont: I am grateful to you for this cordial reception, which crowns a series of friendly demonstrations which began with my entry into this good State and have continued to this interesting and important occasion. I am glad to meet the chosen representatives of the towns of Vermont, appointed to the discharge of functions of legislating for the general good. The wisdom of our fathers devised that system of governmental division for the General Government which has found adoption or adaptation in all the States; the division of the powers of the Government into three great coördinate departments—each independent, and yet having close and important relations one with the other, and each adapted in the highest degree to secure the liberty of the individual, the welfare of our community, and the national honor and prosperity. It has been fortunate for us as a people that no serious clash has occurred to these great departments. The constitutional balance and counterbalance have preserved with marvelous exactness, with the perfection of the most perfect machinery, the relations of these several departments, each doing its appropriate work and producing the great result which had been intended. Surely there is no other country where the springs of government are higher than here. The impulses of our people are drawn from springs that lie high

in the hills of duty and loyalty. They respect and obey the law, because it is the orderly expression of their own will. The compact of our Government is a rule by the majority. The sanction of all law is that it is the expression by popular election of the will of a majority of our people. Law has no other sanction than that with us; and happy are we, and happy are those communities where the election methods are so honestly and faithfully prescribed and observed that no doubt is thrown upon the popular expression and no question of the integrity of the ballot is ever raised. If we shall ever or anywhere allow a doubt to settle into the minds of our people whether the results of our elections are honestly attained, whether the laws made are framed by those who have been properly chosen by the majority, then all sanction is withdrawn from law and all respect from the rulers who by a false ballot are placed in public office.

I am glad to congratulate you upon your constituencies—intelligent, devoted, and patriotic. I am glad to congratulate you that the State of Vermont, from its earliest aspirations and efforts for liberty and self-government, which developed into your constitution in 1777, down through all the story of toil and the struggles which have beset you as a State and the vicissitudes which have beset the country of which you are an honored part—that the State of Vermont and her sons in the councils of the nation and on the blood-stained battlefields of the great war have borne themselves worthily. Will you permit me now to thank you again for this demonstration and for the opportunity to stand for a moment in your presence? I am sure that we may each, from this occasion, in the discharge of public duty, draw some impulse to a more perfect exercise of our powers for the public good.

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#### METHODIST ECUMENICAL CONFERENCE.

[Metropolitan M. E. Church, Washington, October 7, 1891.]

Mr. Chairman and gentlemen of the Conference: I come here this morning to make an expression of my respect and esteem for this great body of delegates assembled from all the countries of the world, and much more to give a manifestation of my respect and love for that greater body of Christian men and women for whom you stand. Every ecumenical conference is a distinct step in the direction, not only of the unification of the church, but of the unification of the human race,

Assembling from countries unlike in their civil institutions, from churches not wholly in accord as to doctrine or church order, you come together to find that the unlikeness is not so great as you had thought, and to find your common sympathies and common purposes greater and larger than you had thought—large enough presently to overspread and to extinguish all these transitory lines of division.

I am glad to know that as followers of Wesley, whose hymns we sing, you have been in consultation as to the methods by which these minor divisions among you might be obliterated. It is the natural order that subdivisions should be wiped out before the grand divisions of the church can be united. Who does not greatly rejoice that the controversial clash of the churches is less than it once was; that we hear more of the Master and His teachings of love and duty than of hair-splitting theological differences?

Many years ago, while visiting in Wisconsin, when Sunday came around I went with some friends to the little Methodist church in an adjoining village. The preacher undertook to overturn my Presbyterianism. An irreverent friend who sat beside me as the young man delivered his telling blows against Calvinism was constantly emphasizing the points made by nudging me with his elbow. Now, I am glad to say that very often since then I have worshipped in Methodist churches, and that is the last experience of that kind I have had.

You have to-day as the theme of discussion the subject of international arbitration; and this being a public, or, in a large sense of the word, a political question, perhaps makes my presence here as an officer of the United States especially appropriate.

It is a curious incident that some days ago, and before I was aware of the theme or the occasion which we have here this morning, I had appointed this afternoon to visit the great gun foundry of the United States at the navy-yard. Things have come in their proper sequence. I am here at this arbitration meeting before I go to the gun factory.

This subject is one that has long attracted the attention, and I think I may say has, perhaps, as greatly attracted the interest and adherence of the United States as that of any other Christian power in the world.

It is known to you all that in the recent Conference of the American States at Washington the proposition was distinctly made and adopted by the representatives of all, or nearly all, of the governments of America that, as applied to this hemisphere, all international disputes should be settled by arbitration.

Of course there are limitations as yet, in the nature of things, to the complete and general adoption of such a scheme. It is quite possible to apply arbitration to a dispute as to a boundary line; it is quite impossible, it seems to me, to apply it to a case of international feud. If there is present a disposition to subjugate, an aggressive spirit to seize territory, a spirit of national aggrandizement that does not stop to consider the rights of other men and other people—to such a case and to such a spirit international arbitration has no, or if any a remote and difficult, application.

It is for a Christian sentiment, manifesting itself in a nation, to remove forever such causes of dispute; and then what remains will be the easy subject of adjustment by fair international arbitration. But I had not intended to enter into a discussion of this great theme, for the setting forth of which you have appointed those who have given it special attention. Let me, therefore, say simply this, that for myself—temporarily in a place of influence in this country—and much more for the great body of its citizenship, I express the desire of America for peace with the whole world. It would have been vain to suggest the pulling down of blockhouses or family disarmament to the settlers on a hostile Indian frontier. They would have told you rightly that the conditions were not ripe. And so it may be, and is probably, true that a full application of the principle is not presently possible, the devil still being unchained.

We will have our gun foundries, and possibly will best promote the settlement of international disputes by arbitration, by having it understood that if the appeal is to a fiercer tribunal we shall not be out of the debate. There is a unity of the Church and of humanity, and the lines of progress are the same.

It is by this great Christian sentiment, characterized not only by a high sense of justice, but by a spirit of love and forbearance, mastering the civil institutions and governments of the world, that we shall approach universal peace and adopt arbitration methods of settling disputes.

Let me thank you, Mr. Chairman, and you gentlemen of this conference, for the privilege of standing before you for a moment, and for this most cordial welcome which you have given to me. I beg to express again my high appreciation of the character of this delegation and the membership of the great church from which you come, and to wish that in your remaining deliberations and in your journeys to far-distant homes you may have the guidance and care of that God whom we all revere and worship.

GRANT MEMORIAL MONUMENT.

[Riverside Park, New York, April 27, 1892.]

Mr. President and fellow-citizens: My assignment in connection with these exercises has to do with mechanics rather than with oratory. The pleasant duty of bringing to our memory to-day those brilliant incidents of public service and those personal and manly virtues which have placed the name of Ulysses S. Grant so high upon the scroll of fame, and settled the love of the man so deeply in all patriotic hearts has been devolved upon another, who never fails to meet these high occasions with credit to himself and with pleasure to all his favored hearers. No orator, however gifted, can overpraise General Grant. The most impressive and costly memorial structure that an architect can plan or wealth execute is justified when the name of Grant is inscribed upon its base. This stone which has now been laid, accompanied by this magnificent expression of popular interest, is only the top stone of a foundation, but it speaks to us of a structure, imposing and graceful in its completeness, which shall rise from this supporting base. Shall it rise with stately progress, without check or tardiness, until the capstone is set amid the plaudits of the liberal and patriotic citizens of this great city? Thus his fame grew, from Belmont to Appomattox, in whose honor this tomb is builded. I am glad to see here what seems to me to be adequate assurance that this work, so nobly started upon, will be speedily consummated. Your distinguished citizen, who has assumed as a labor of love the burden of conducting this great enterprise, learned of his beloved friend and commander to exclude the word "failure" from his vocabulary.

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LAWLESSNESS IN THE SOUTHERN STATES.

[Letter to the Virginia State Baptist Convention.]

EXECUTIVE MANSION,

*Washington, May 21, 1892.*

Rev. H. H. MITCHELL AND OTHERS,

*Committee:*

GENTLEMEN: When you called upon me on the 13th day of May, just prior to my departure with Mrs. Harrison, I expressed myself somewhat fully to you orally upon the subject of the memorial which you submitted, and promised to respond in writing at the earliest practicable moment.

Those who have read my public addresses and official papers must be aware of the fact that I have felt the reproach which lawlessness has brought upon some of our communities. I have endeavored to hold up the law as the one single admissible rule of conduct for good citizens. I have appealed against race discriminations as to civil rights and immunities, and have asked that law-abiding men of all creeds and all colors should unite to discourage and to suppress lawlessness. Lynchings are a reproach to any community; they impeach the adequacy of our institutions for the punishment of crime; they brutalize the participants and shame our Christian civilization. I have not time to explain to you the limitations of the Federal power further than to say that under the Constitution and laws I am, in a large measure, without the power to interfere for the prevention or punishment of these offenses. You will not need to be assured that the Department of Justice will let no case pass that is one of Federal jurisdiction without the most strenuous endeavors to bring the guilty persons to punishment. I will give the matter you have suggested the most serious consideration and you may be assured that my voice and help will be given to every effort to arouse the conscience of our people and to stimulate efficient efforts to reestablish the supremacy of the courts and public officers as the only proper agency for the detection and punishment of crime and the only security of those who are falsely accused.

With great respect, very truly, yours,

BENJ. HARRISON.

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#### SOLDIERS AND SAILORS' MONUMENT.

[Rochester, N. Y., May 30, 1892.]

Fellow-citizens: Every external condition, and some internal conditions affecting my strength, admonish me that I should speak to you with brevity. I have enjoyed greatly the exercises which are now being consummated in this beautiful city. You have met a great occasion greatly. I have never seen anywhere a more magnificent expression of patriotism than I have witnessed here.

These streets upon which the institutions of trade have been for a time covered with the starry banner, this great marching column in which the veterans of the war march again to the old music and follow with faithful hearts the old flag that they may do honor to those brave comrades who were permitted under God to make a supream sacrifice than they to the flag they dearly love; these

following companies of the children of our public and parochial schools; these banners, the music of drum and fife and bugle, the cheering multitude, the great open-hearted, loving expression which we saw as we moved along your streets, all testify to the fact that our Constitution, our civic institutions, and that glorious flag that symbolizes them, are set upon a granite foundation in the people's hearts. As the old hymn says, "What can shake our sure repose?" If we should fail, comrades, to meet any occasion of peril which may be in the pathway of this nation, it seems to me that the trundle-beds of this country would furnish its defenders. War is not attractive to our people. We have not many of that class of men, of whom we sometimes heard during the war, who would rather fight than eat.

I had one of that class in my regiment, and he got into the ditch the first serious engagement we became involved in. No, our people are smitten with the love of peace. We had not before the civil war so much cultivated in the North as had our friends in the South the military spirit. We were a peaceful people. They said, but they will say so no more, that we were a craven set of peddlers. It took a great deal to separate the home-loving, peaceful people from their homes—these farmers and artisans and clerks and professional men.

It must be a strong pull that could withdraw them from association that so closely bound their affections and their lives, but when the moment came and the dreaded war was present, with what magnificent self-denial, with what alacrity every family tie and every commercial interest were put beneath the supreme duty to save the nation and redeem the flag from dishonor. Out of this war we have brought a mutual respect that would not otherwise have been possible.

Some of us fancied that the Southern people were given to vaporing—that each one of them was equal to five Northern soldiers. But the South learned that Paul Revere still rode the highways of Massachusetts, and that the man of Concord still plowed his fields. And we, on our part, learned that the spirit of the cavalier which was found in the Southern army was combined with the reserve and steadfastness of Cromwell's Ironsides.

We have found a plane of mutual respect, and I am glad of it; and not only this, but we have found a common country. I do not think—indeed, I am sure that no war ever waged in history before our civil war brought equal blessings to the victor and to the vanquished. No companies of weary, sad-eyed captives at the chariot wheel adorned our triumph and return. We brought into full



participation in the glories of restored Union those who had mistakenly sought to destroy it.

It gladdens my heart now to believe that the love of the old flag is so revived in these Southern hearts that they would vie with martial ardor to be in front of the charge if we should ever be called to meet a common enemy. Glorious victory and God-given and God-blessed peace! No yoke upon the defeated except that yoke which we wore, comrades, when we resumed our place as citizens—the obligation to obey the Constitution, and all laws made in pursuance of it, as the condition of peaceful citizenship.

We are happy in our great national isolation—happy, as your distinguished orator has said, that we do not need to burden our people to maintain standing armies, and do not live under a perpetual threat that the chariot wheels of war may roll through our peaceful villages. No nation in the world is able to wage war, on our soil, with the United States, and when the generous work upon which we have entered of building, equipping, and manning a suitable navy is completed, no nation in the world will be hasty to engage us upon the sea.

We are now entering into competition with the great nations of the world in the markets of the world. We will push these purposes peacefully.

The diplomacy of the United States has always been a sentimental diplomacy. We do not push our trade by the bayonet, by aggression, by the subjugation of helpless people. We push it only upon the basis of friendliness and mutual trade advantage. Holding up the dignity and honor of our country, we shall expect others to respect our rights as we shall respect theirs.

United we will enter upon a career of wealth and development, accompanied by the sweet influences of the school, of the churches, of the home-refining, the gold of trade—by their purifying influences to save, under God, the great heritage, committing to His care the generation that is to take from our lips these lessons of patriotism that they may be fitted, if such an exigency should come, to do the part their fathers did.

What they did who can tell? We say you saved the nation. Who can expand that thought until its full meaning is before the soul? Who can look down the pages of history and say what one issue would have involved in disaster, contention, weakness, and blood, and what the other has involved on this ascending plane of brightness and glory.

TWO HUNDRED AND FIFTIETH ANNIVERSARY OF  
WOBURN, MASS.

EXECUTIVE MANSION,  
*Washington, September 27, 1892.*

HON. EDWARD F. JOHNSON,  
*Woburn, Mass. :*

MY DEAR SIR: The celebration of the two hundred and fiftieth anniversary of the incorporation of Woburn, which is to be held on October 7, is an event of such interest that I would have been glad to accept the invitation of the committee to participate in the exercises which your citizens have planned, if the circumstances had been such as to make it possible for me to leave Washington. I very much regret that it will be—as your people will understand without more particular reference—impossible for me to be present. The brave and intelligent founders of our early civil communities are worthy of honor; and this generation will derive profit from a study of the influences and principles from which have grown our civil government and our great increase and development as a nation.

Very respectfully, yours,

BENJ. HARRISON.

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RECEIVING RIGGIN STATUETTE.

[Presented by George W. Turner, Executive Mansion, February 8, 1898.]

Sir: The gift which you tender to me and the kind and appreciative words with which you accompany it, are very grateful to me. I have felt great interest and enthusiasm in the rebuilding of the American Navy. I have felt that it was not only essential as a matter of national defense, but that there was a prestige and influence for peace and good neighborhood between the nations of the earth in the completion and equipment of these great ships that nothing else could furnish. As to the incident to which you refer, I felt that the honor of our country and of the Navy had been touched, and that nothing was left to us but, in a quiet and dignified and yet firm way, to insist upon suitable redress. It was given in a generous spirit, and I think the result of it has been that our relations with that brave people, whose history is so full of martial achievements and prowess, as well as with the sister Republics of

South America, are more friendly. International intercourse must always proceed upon the basis of mutual respect and a yielding of mutual right. No acquiescence in wrong, no tame and spiritless submission to injury, can be the basis of respect, and friendship must be founded upon respect.

I thank you, sir, and these generous donors, for this testimonial of an incident which I am sure will be regarded as valuable in our history.

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#### HOISTING THE FLAG ON THE STEAMSHIP NEW YORK.

[February 22, 1898.]

It gives me pleasure to consummate here to-day, by the act of lifting this flag, the efforts in support of a principle to which I give my hearty support.

I have felt as a citizen and as President a mortification which every American must feel who examines into the standing of the United States in the merchant marine of the world.

I believe we have reached an epoch in our development when we may successfully begin the work of carrying our share of the world's commerce upon the seas.

We lift the flag to-day over one ship, a magnificent specimen of the naval art, one of the best on any sea.

That event is interesting in itself, but its interest to me is in the fact that this ship is the type and precursor of many others.

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