

TELEGRAPHIC NEWS.

WASHINGTON, Aug. 23.—The President sent the following message to Congress this afternoon:
To the Congress—

The rejection by the Senate of the treaty negotiated for the settlement and adjustment of the differences existing between the United States and Great Britain, concerning the rights and privileges of American fishermen in the ports and waters of British North America, seems to justify a survey of the condition to which the pending question is thus remitted. The treaty upon the subject concluded in 1818 through disagreements as to the meaning of its terms, has been a fruitful source of irritation and trouble. Our citizens engaged in fishing in the waters adjacent to Canada, have been subjected to numerous interferences and annoyances. Their vessels have been seized upon pretexts which appeared to have been entirely inadmissible, and they have been otherwise mistreated by Canadian authorities and officials in a manner inexcusably harsh and oppressive. This conduct has been justified by Great Britain and Canada by the claim that the treaty of 1818 permitted it, and also upon the ground that it was necessary to the proper protection of Canadian interests. We deny that treaty agreement justified these acts, and further maintain that aside from any restraints of disputed interpretation, the relative positions of the United States and Canada, as near neighbors, the growth of our joint commerce, the development and prosperity of both countries, which amicable relations surely guarantee, and above all, the liberality always extended by the United States to the people of Canada, furnish more lines for kindness and consideration and are better than treaty covenants.

While keenly sensitive to all that was exasperating in the condition, and by no means indisposed to support the just complaints of our injured citizens, I still deemed it my duty to attempt by negotiations to remedy existing wrongs, and finally to eliminate by a fair and just treaty those ever-recurring causes of difficulty. I fully believe the treaty just rejected by the Senate

WAS WELL SUITED

to the exigency, and that its provisions were adequate for our security in future from vexatious incidents and for the promotion of friendly neighborhood and intimacy without sacrificing in the least our national pride and dignity. It is of importance to note that this has been defeated without any apparent disposition on the part of the Senate to amend its provisions, and with the evident design that no negotiation should be concluded touching the matter at issue. I am by no means disposed to abandon the interests and rights of our people in the premises or neglect their grievances, and therefore turn to the contemplation of the plan of retaliation as made, which still remains, of treating the situation. I am not unmindful of the gravity of the responsibility assumed in adopting this line of conduct; nor do I fail to appreciate its seriousness. It will be impossible to injure our Canadian neighbors by retaliatory measures without inflicting some damage upon our own citizens.

The policy of retaliation embraces the infliction of the greatest harm upon those who have injured us, with the least possible damage to ourselves, and above all things, the plan of retaliation if entered upon should be thorough and vigorous. These considerations lead me to invoke the aid and counsel of Congress and its support in such further grant of power as seems necessary and desirable to render effective the policy I have indicated. Congress has already passed a law providing that in case American fishing vessels be in or visiting on the waters or at any of the ports of the British Dominions of North America, should be or have been lately deprived of the rights to which they were entitled by law, or if they were denied other privileges therein specified, the President might deny to the vessels and their masters and crews of the British Dominions of North America, any entrance into the waters, ports or harbors of the United States, and also deny entry into any port of place of the United States of any product of said dominions, or other goods coming from there to the United States. While I shall not hesitate upon proper occasions to

ENFORCE THIS ACT,

it would seem necessary to suggest that if the enforcement is limited in such a manner as shall result in the least possible injury to our own people; in fact, it would probably be entirely inadequate to the accomplishment of these purposes. I deem it my duty, therefore, to call the attention of Congress to certain particulars in the action of the authorities of the Dominion of Canada in addition to the general allegations already made, which appear to be in such marked contrast to the friendly position of our country as, in my opinion, to call for such legislation as will upon the principles already stated properly supplement the power to inaugurate the retaliation vested in the executive. Actuated by the generous spirit which has characterized our legislature, our tariff laws have since 1850 been so far waived in favor of Canada as to allow free of duty the transit across the territory of the United States of the property ar-

rising at our ports and destined to Canada, or exported from Canada to other countries.

[The President here quotes the 29th article of the treaty of Washington between the United States and Great Britain, negotiated in 1871, which he says was largely a modification of the treaty of 1818, in which the privileges referred to were made reciprocal, and given by Canada to the United States.] Continuing, the President says: During the last six years the imports and exports of the British Canadian provinces carried across the United States under the privileges granted by our laws amounted in value to about \$270,000,000, nearly all of which were goods dutiable under our tariff laws. By far the larger part of this tariff consisted of exchanges of goods between Great Britain and her American provinces, brought to and carried from our own ports in our own vessels. The treaty stipulations entered into by our government would in harmony with the laws which were upon our statute books, and are still in force. I recommend immediate legislation conferring upon the executive power to suspend by proclamation the operation of the laws and regulations permitting the transit of goods, wares and merchandise in bond across or over the territory of the United States, to or from Canada. There need be no hesitation in

SUSPENDING THOSE LAWS

arising from the supposition that their continuation is secured by treaty, for it seems quite plain that article 29 of the treaty of 1871, which was the article incorporating such laws, terminated July 1, 1883. The article itself declares that its provisions shall remain in force for the term of years mentioned in article 23 of this treaty.

Turning to article 33, we find no mention of the 29th article, but find provision foreign thereto, articles 18 to 25, and article 30. I am of the opinion that the "term of years" referred to in article 29 means the period during which articles 18 to 25 inclusive and article 30, commonly called the "Fishery Article" shall continue in force. In addition to other satisfactory evidence supporting this construction of the language in article 29, it will be found that the law passed by Congress March 1, 1873, to carry the treaty into effect, furnishes conclusive proof of the correctness of this construction.

After quoting the act of March, 1873, the President says: Here then is a distinct enactment of Congress limiting the duration of this article of the treaty to the time that articles 18 to 25 inclusive and article 30 should continue in force. There appearing to be no conflict or inconsistency between the treaty and the act of Congress last cited, the necessity does not rise to invoke the well-settled principle that in case of such conflict the statutory question whether the law of 1873 constrains 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. These proceedings had their inception in the joint resolution of Congress passed May 3, 1883, declaring these articles ought to be terminated, and directing the President to give the notice to Great Britain provided by article 33 of the treaty. Such notice having been given two years prior to July 1, 1883, the articles mentioned were absolutely terminated on that day.

But the statutes granting to the people of Canada valuable privileges of transit for their goods which had been passed prior to the making of the treaty of 1871, and independently of it, remained in force, and ever since the abolition of the treaty the people of the Dominion have enjoyed without limit the advantages of our liberal and generous laws. Without basing our complaint upon a violation of the treaty, it is nevertheless true that such

REFUSAL OF TRANSIT

and other injurious acts which have been recited, constitute a provoking insistence upon rights neither mitigated by the amenities of national intercourse nor modified by the recognition of our liberality and generosity. The history of events connected with this subject makes it manifest that the Canadian government can administer its laws and protect the interests of its people without the manifestation of unfriendliness, and without unneighborly treatment of our fishery vessels, which we have justly complained of, and whatever is done on our part shall be done in the hope that the Canadian government may relieve us of the occasion to resort to the executive power now sought to be brought about.

I wish to call the attention of Congress to another subject, involving such wrongs and unfair treatment to our citizens as in my opinion require prompt action.

The navigation of the great lakes and the immense business and carrying trade growing out of the same, have been treated broadly and liberally by the United States government, and made free to all mankind; while the Canadian railroad and navigation companies share in our country transportation upon terms as favorable as are accorded our own citizens. The canals and other public works built and maintained along the line of the lakes, are made free to all. In contrast to this condition, and evincing a narrow and ungenerous commercial spirit, every lock and canal which is a public work in Canada, is subject to tolls. By the treaty of 1871 a provision was made to secure to the citizens of the United States the use of the Welland, St.

Lawrence and other canals in the Dominion of Canada, on terms of equality with the inhabitants of the Dominion, and yet evidence has for sometime been before Congress showing that tolls charged on cargoes and destined for Canadian ports are nearly all refunded, while cargoes bound for American ports are not allowed such advantages.

I recommend that such legislation be had as will give Canadian vessels navigating our canals and their cargoes the same advantages granted to our vessels and cargoes upon Canadian canals, and that the same be measured by exactly the same rule of discrimination. These are subjects which partisanship should not disturb or confuse. Let us survey the ground calmly, and having put aside other means of settlement, if we enter upon the policy of retaliation, let us pursue it firmly, with a determination to subserve the interests of our people and maintain the high standard and becoming pride of American citizenship.

(Signed) GROVER CLEVELAND.
BUFFALO, Aug. 24.—Deputy marshals of this city caused a sensation in Ogdensburg yesterday by arresting three of its most reputable citizens; John W. Stone, lawyer, Nathaniel S. Little, Jr., deputy collector of customs at Ogdensburg, and William J. Cuminsky, janitor of the custom house. Warrants for their arrest were sworn out before a U. S. commissioner here by special agents of the Treasury Department at Washington. The charge against them is stealing 770 pounds of prepared opium from the custom house at Ogdensburg. This is the outcome of the arrest of Erwin R. Gardner, which took place at Ogdensburg last winter, when he and his cousin Ephraim Gardner were captured with nearly \$25,000 worth of opium in their possession. Erwin Gardner was arrested a day or two ago in Chicago, in connection with the same case. It was found he had been offering opium for sale there, and it did not take long for the government officials to discover that it was smuggled. This led to sensational developments at once. The opium has been placed in the custom house at Ogdensburg for safe keeping, and now it has been found on the streets of Chicago. Stone, Little and Cuminsky were brought to Buffalo and lodged in jail to await the examination which is now in progress.

LONDON, Aug. 23.—Advices from Acera on the gold coast colony, say a force consisting of blacks and Kroomis commanded by three German officers, have occupied Adedder to the northeast of Salagha, near Daboman territory. The invaders hoisted the German flag, built a fort and named the place Bismarckburg.

TOULON, Aug. 23.—When the equipment of the eight iron clads, ordered by the minister of the marine for the reinforcement of the Mediterranean squadron, is completed, they will proceed at once to Hyeres. Four dispatch vessels and torpedo boats will accompany them. Admiral Amet will direct manœuvres.

NEENAH, Wis., Aug. 24.—Ten of the victims of yesterday's explosion were buried today. Shops were all closed here and at Kenosha large concourses of citizens and town officials followed the remains. The funerals were at the city's expense. No additional deaths.

JACKSONVILLE, Aug. 24.—During the past 24 hours there have been new cases 16, deaths 2, recoveries 2, under treatment 45; total number of cases to date 70; number of deaths to date 10.

WASHINGTON, Aug. 24.—Surgeon general Hamilton telegraphs from Camp St. Mary, Florida, that the camp is in fine condition; 25 refugees are there.

LONDON, Aug. 24.—Cholera broke out on the Portuguese transport *India*, while bound from Macao to Mozambique, and within forty-eight hours there were thirty-eight cases, twenty-four of which proved fatal.

WHAT ENGLISH PAPERS SAY.

LONDON, Aug. 24.—The *Morning Post* thinks that the comity of nations demanded that an invitation be sent to England to reconsider the matter before proceeding further. It deprecates President Cleveland's action, refuses to believe that the majority of Americans desire to act in an unfriendly spirit and trusts that the majority of representatives will endorse the view that the talk of reprisals is premature.

The *Daily News*: Things are bad enough but not as bad as to justify the faintest breathing of the rumor of war. The *Daily Telegraph* regards the President's message as a political move probably intended to disconcert the rejecters of the treaty by pushing the policy to its logical results, and throwing upon them the responsibility for the odium and international jealousy and ill will such a message is likely to receive, and the message having served its purpose nothing more will be heard about it.

The *Standard* says: Cleveland may have desired to bring home to the people the wrong which the Senate inflicted upon three countries, but it is more probable that the President's message was intended as a party move to insure his election. By shifting the conflict, however, from sea to land, he removes it from the arena of passion, where an act of indiscretion might easily precipitate a catastrophe.

The *Times*, commenting on the President's message, says:

Nothing that the party leaders may do on the eve of a Presidential election ought to astonish us. Mild curiosity is the attitude in which the message should be received here and in Can-

ada. President Cleveland has dished the republicans by a masterly move and may fairly be congratulated upon his adroitness. With both parties anxious to twist the lion's tail no doubt the bill will be passed.

THE SENTIMENT IN CANADA

TORONTO, Aug. 24.—The President's message on the fisheries question is the topic of general discussion. Grain dealers whose interests are very much involved in the measure, did not restrain their disgust with the threats of interference with the consignment with the export in bond. Others feared an increase in the price of general commodities and in railway rates.

Vessel owners say that the results of excluding Canadian vessels from American ports will be practically to ruin the Canadian shipping interests, as without the American trade the present vessels cannot secure sufficient traffic. The immediate effect of the closing of canals to Canadian vessels would be to injure Port Arthur, as a shipping port and ultimately to blast the future of that promising place.

Sir Henry Taylor, president of the Grand Trunk Railway, said he could not believe the American people seriously thought of a retaliatory policy such as was sketched in the message. He would prefer to think the whole thing a political move, which would serve to no purpose when the election was decided.

COMMENTS OF CANADIAN PAPERS.

TORONTO, Ont., Aug. 24.—Referring to President Cleveland's retaliation measure the *Mail* says:

"We are free to admit that the step Cleveland advises Congress to take would be a grave one for us in the Northwest, which is now on the point of obtaining a competitive route to the east through North American territory. The President is entirely and egregiously mistaken, we think, in supposing that the people of Canada will be coerced into a surrender of their fishery or any rights. He recommends a course of action which in his conscience he must regard as utterly barbarous. We shall be hurt, perhaps severely hurt, but a spirited and intelligent people are not to be overawed, still less brought to their knees, by the poor sort of weapons the President has taken in hand."

The *Globe* says: It is one of the points of the superiority of our political system over that of our neighbors that their chief magistrate is every four years under the necessity of "playing to the gallery." The President in his message descends to what is plainly electioneering clap-trap designed to outbid the Blaine-Harrison combination for the anti-British vote. We suppose it would be foolish for Canada to deem herself insulted by anything said in the United States in the hurly-burly of leap year. The American threats to deprive our Americans of the privilege of transporting their goods on the Canadian railways are of little public concern. We must correct President Cleveland on one point. There is no toll levied on American vessels passing through any Canadian canal that is not also levied on Canadian vessels.

The *Empire*, the leading government organ, makes no editorial comment.

The *Globe*, leading organ of the reform party, describes President Cleveland's message as an election dodge to catch the Anglophobe vote, but recognizes the obligation laid on him by his office. It says the Canadian Government must stand up firmly for its rights, but must abstain from all expressions that might tend to provoke neighbors already greatly in the wrong and who therefore will be alert to seize upon anything that may palliate or excuse their wrong doing.

MONTREAL, Aug. 24.—The *Herald* says: The President probably means that retaliation should be had on Canadian vessels at Sault St. Marie. Whether he proposes by any means to rectify the injustice done to Canadians on the State of New York canals in the event of the Montreal rebate being abandoned does not appear.

The *Witness* says: The message is constructed out of misrepresentations against Canada, and stultifies his own attitude and course in approving and recommending the fisheries treaty.

OTTAWA, Aug. 24.—The *Citizen* says: Cleveland has shown his hand, and the hand of the United States, but he does not help his cause, and this he will discover before one month passes over his head. Our neighbors may threaten but they can neither frighten, bully nor force Canadians into an anomalous position.

SAN FRANCISCO, August 24.—P. J. Creighton, agent for the New Zealand government, has received a cable dispatch from Sir Harry Atkinson, Postmaster-General of New Zealand, stating that the colony would accept the offer of Postmaster-General Dickinson of the United States to pay \$50,000 yearly towards the Australian mail service. The contract has been extended until November, 1889, which will give more time for further consideration. The increased payment from the United States will commence in Nov., 1888.

NEW YORK, August 24.—The recent action of the Northwestern and Transcontinental lines may avert the threatened war in passenger rates between the Eastern trunk lines. Commissioner Pierson received word that the lines mentioned promised to restore the first-class rates and end the emigrant war by cutting off commissions to Eastern agents upon the condition that the other lines of the Western Association, which share in the trade, will agree to do likewise.

IGNACIO, Col., Aug. 24.—A third council was held here today between the Ute Indian commission and the Indians. The Indians yesterday received their overdue gratuity money, and it was expected this would put them in good humor and facilitate the business on hand. Speeches were made on both sides, but the chiefs were obstinate and would not consent to removal. Another council will be held tomorrow.

NEW YORK, Aug. 24.—The syndicate which bought from the Northern Pacific the \$25,000,000 third mortgage bonds, has sold the same to Henry Villard for the Deutsche Bank of Berlin and its associates. It is reported that Villard is about to close negotiations for \$3,000,000 Montana branch lines at \$90.

WASHINGTON, Aug. 24.—The judiciary committee has invited the California members to appear before it tomorrow to express their views upon the memorial now before the committee from the citizens' mass meeting at San Francisco requesting the impeachment of Judges Sawyer and Sabin for admitting Chinese under writs of *habeas corpus*.

TOLEDO, Aug. 24.—The *Blade's* Middle Bass special says: There is not, another summer resort in America where General Harrison could have more retreat and such complete seclusion as in this spot. Several persons came in from Cleveland and asked to be allowed to see the General but the members of the club steadily refused to disturb him.

CHICAGO, Aug. 24.—The three arrests at Ogdensburg in connection with the opium conspiracy appear to be due to discoveries in Gardner's papers captured here. Among the documents were letters from Stone to Gardner clearly establishing the fact, it is said, that there was an agreement between Stone, the Ogdensburg lawyer, Nathaniel Little, Jr., the deputy collector at Ogdensburg, and W. J. Cuminsky, of the custom house, to shift some opium into the custody of Little. This was the stuff confiscated at Ogdensburg last winter. It had been smuggled into the United States by Gardner, and he was under \$15,000 for the offense. The shift meant that the government was to be robbed. The disposal of it by Gardner would make him and his confederates rich, and with its disappearance the evidence of the original crime for which he was to be punished would be gone. From Gardner's letters it appears that Deputy Collector Little was to receive \$4000 and Janitor Cuminsky \$1000 of the spoils. The scheme was to put little blocks in the place of the opium cans in the government vaults at Ogdensburg until the trial of Gardner, when the discovery of the deception would undoubtedly result in his release.

LOS CRUCES, N. M., Aug. 25.—A vendetta has been declared between the Lea and John Good factions, in the eastern portion of Dona Ana County. A short time since a man named McDonaid was assassinated, and in retaliation Walter Good, a son of John Good, was waylaid and killed on August 3rd. This section of country is eighty miles from the nearest railroad station, and a reign of terror exists there. Sheriff Ascarate and posse left here today with warrants for the arrest of a large number of these men. It is not unlikely that an appeal will be made to Governor Ross to call out the militia.

CINCINNATI, Aug. 26.—At ten o'clock this morning the false work for the superstructure for the Chesapeake & Ohio railroad bridge over the Ohio between Covington and Cincinnati was swept away by a great raft of driftwood that had accumulated at its base and three hundred and fifty feet of iron bridge dropped a distance of feet into the stream below. The trestle went down over ten or twelve miles where some of it was anchored. The iron work lies in the river near the Kentucky shore. The contract was in the hands of the Phoenix Bridge Co. They estimate their loss at nearly \$200,000.

JACKSONVILLE, Aug. 26.—Nine new cases of yellow fever were reported today. There were two deaths.

ST. PAUL, Aug. 26.—A stock train running at a high rate of speed, ran into a herd of cattle near Fort Buford on the Manitoba road last night wrecking seventeen cars. Nearly 100 cattle were killed and five train men injured, three probably fatally.

WASHINGTON, Aug. 27.—The President has approved the act authorizing an increase of pensions in cases of deafness.

DUBLIN, Aug. 27.—Father Kennedy was arrested for holding a meeting of a suppressed branch of the National League at Dubhallow.

LONDON, Aug. 27.—Joseph Chamberlain declines to speak in relation to the rejection of the fisheries treaty which he says has long been foreseen.

WASHINGTON, Aug. 27.—The House committee on foreign affairs failed to get a quorum. An informal discussion showed a strong tendency to divide on party lines, by the three democrats and three republicans present. The discussion related to article twenty-nine of the treaty of Washington with the legislation touching the entry of goods in bond at United States ports for Canadian consumption. Probably several days will be consumed in a preliminary discussion before action is reached.

WASHINGTON, Aug. 27.—The conferees on the sundry civil bill have decided to report a disagreement to the two Houses. Among the items disagreed to are the Mexican boundary survey, \$100,000; reservoirs for