

existing condition of affairs in Cuba the tests recognized by publicists and writers on international law, and which have been observed by nations of honesty and power when free from sensitive or selfish and unworthy motives. I fail to find in this insurrection the existence of such a substantial organization, real, palpable and manifest to the world, having the forms and capable of the ordinary functions of government toward its own people and other States, with courts for the administration of justice, and a local habitation, possessing such an organization of force, such material, such occupation of territory as to take the contest out of the category of a mere rebellious insurrection or occasional skirmish, place it on the terrible footing of war, to which a recommendation of belligerence would aim to elevate it. It moreover is on the land; the insurrection has not possessed a single seaport whence it may send forth a flag, nor has it any means of communication with a foreign government except through the military lines of its adversaries. No apprehension of any of those sudden and difficult complications which await on the ocean is apt to precipitate on the vessels, both commercial and national, and on the consular officers of other powers, calls for the definition of their relations to the parties to the contest. Considered as a question of expediency, I regard the accordance of belligerent rights still to be as unwise and premature as I regard it to be, at present, indefensible as a measure of right.

Such a recognition entails on the country according the rights which flow from it, difficult and complicated duties, and requires from the contending parties a strict observance of their rights and obligations. It confers the right of search upon the high seas by vessels of both parties; it would subject the carrying of arms and munitions of war, which now may be transported freely and without interruption, in vessels of the U.S. to detention and possible seizure; it would give rise to countless vexatious questions, would release the parent government from responsibility for the acts of the insurgents, and would invest Spain with the right to exercise the supervision recognized by the treaty of 1795 over our commerce on the high seas, a very large part of which, in this traffic between the Atlantic and Gulf states, and between all of them and the states on the Pacific, passes through the waters which wash the shores of Cuba. The exercise of this supervision could scarcely fail to lead, if not to abuses, certainly to collisions perilous to the peaceful relations of the two states. There can be little doubt as to the results such a supervision would, before long, draw this nation into, and it would be unworthy the U. S. to inaugurate the possibilities of such a result by a measure of questionable right or expediency.

Apart from any question of theoretical right, I am satisfied that while the accordance of belligerent rights to the insurgents in Cuba might give them hope and an inducement to protract the struggle, it would be but a delusive hope, and would not remove the evils which this government and its people are experiencing, but would draw the U. S. into complications which it has waited long and already suffered much to avoid. The recognition of independence or of belligerency being thus, in my judgment, equally inadmissible, it remains to consider what course shall be adopted should the conflict not soon be brought to an end by the acts of the parties themselves, and should the evils which result therefrom, affecting all nations, and particularly the U. S., continue. In such an event I am of the opinion that other nations will be compelled to assume the responsibility which devolves upon them, and to seriously consider the only remaining measures possible—mediation and intervention.

Owing, perhaps, to the large expanse of water separating the island from the peninsula, the want of harmony and of personal sympathy between the inhabitants of the colony and those sent thither to rule them, and the want of adaptation of the ancient colonial system of Europe to the present times, and to the ideas which the events of the past century have developed, the contending parties appear to have, within themselves, no depository of common confidence to suggest wisdom when pas-

sion and excitement have their sway, and to assume the part of peacemaker. In this view, in the early days of the contest, the good offices of the U. S. as a mediator were tendered in good faith, without any selfish purpose, in the interest of humanity, in sincere friendship for both parties, but were at the time declined by Spain, with the declaration, nevertheless, that at a future time they would be indispensable. No intimation has been received that, in the opinion of Spain, that time has been reached, and yet the strife continues with all its injuries to the interests of the U. S. and of other nations. Each party seems quite capable of working great injury and damage to the other, as well as to all the relations and interests dependent on the existence of peace in the island; but they seem incapable of reaching any adjustment, and both have thus far failed of achieving any success whereby one party shall possess and control the island to the exclusion of the other. Under these circumstances the agency of others, either by mediation or by intervention, seems to be the only alternative which must sooner or later be invoked for the termination of the strife. At the same time, while thus impressed, I do not at this time recommend the adoption of any measure of intervention. I shall be ready at all times, and as the equal friend of both parties, to respond to a suggestion that the good offices of the United States will be acceptable to aid in bringing about a peace honorable to both. It is due to Spain, so far as this government is concerned, that the agency of a third power to which I have adverted shall be adopted only as a last expedient.

Had it been the desire of the U. S. to interfere in the affairs of Cuba, repeated opportunities for so doing have been presented within the last few years; but we have remained passive and have performed our whole duty, and all international obligations to Spain with friendship, fairness and fidelity, and with a spirit of patience and forbearance which negatives every possible suggestion of a desire to interfere or to add to the difficulties with which she has been surrounded. The government of Spain has recently submitted to our minister at Madrid certain proposals, which may be found to be the basis of, if not the actual submission of, terms to meet the requirements of the particular griefs of which this government has felt itself entitled to complain. These proposals have not yet reached me in their full text, but on their arrival they will be considered carefully, and may, I hope, lead to a satisfactory adjustment of the questions to which they refer, and remove the possibility of future occurrences such as have given rise to our just complaints.

It is understood that renewals of offers are being made to introduce reforms in the internal administration of the island, provided, however, that a proper regard be had for the interests of the United States, and of its citizens who are entitled to relief from the strain to which they have been subjected, by the difficulties of the questions, and the wrongs and losses which have arisen from the contest in Cuba, and for the interests of humanity, which demand a cessation of the strife before the whole island shall be laid waste and a larger sacrifice of life be made.

I shall feel it my duty, should my hopes of a satisfactory adjustment and the early restoration of peace and the removal of future causes of complaint be unhappily disappointed, to make a future recommendation to Congress at some period not far remote, and during the present session, recommending what may then seem to me to be necessary.

THE CENTENNIAL.

The powers of Europe almost without exception, many of the South American states, and even the most distant eastern powers have manifested their friendly sentiments towards the U. S., and the interest of the world in our progress, by joining with us in the celebration of the centennial of the nation, and I strongly urge that an impetus be given to this exhibition by such legislation and such an appropriation as will insure its success. Its value in bringing to our shores innumerable works of art and skill, the commingling of citizens of foreign countries, and our own intermingling of ideas and manufacturers will far exceed any outlay that we may make prudently.

AGRICULTURAL REPORT.

I transmit herewith the report of the Commissioner of Agriculture, together with the reports of the commissioners of the board of audit, and the board of health of the District of Columbia, to all of which I call attention.

The bureau of agriculture has accomplished much in disseminating useful knowledge to agriculturists, and in introducing new and useful productions adapted to our soil and climate, and is worthy of the continued encouragement of the government.

EDUCATIONAL REPORT.

The report of the Commissioner of Education, which accompanies the report of the Secretary of the Interior, shows a gratifying progress in educational matters.

THE FREE ZONE—MEXICAN RAIDS IN TEXAS—THE JOINT COMMISSION.

The free zone, so-called, several years since established by Mexico in certain of the states of that republic adjacent to our frontier, remains in full operation. It is always materially injurious to domestic traffic, while it operates as an incentive to traders in Mexico to supply, free of custom charge, the wants of the people of this side the line, and prevents the same wants from being supplied by merchants of the United States, thereby to a considerable extent defrauding our revenue, and checking honest commercial enterprise.

Depredations by bands from Mexico on the people of Texas, near the frontier, continue. Though the main object of the incursions is robbery, they frequently result in the murder of quiet and peaceably disposed persons, and in some cases even the U. S. postoffices and mail communications have been attacked. Renewed remonstrances upon this subject have been addressed to the Mexican government, but without much apparent effect. The military force of this government, disposable for service in that quarter, is quite inadequate to effectually guard the line, even at points where the incursions are usually made. An experiment of an armed vessel on the Rio Grande for that purpose is on trial, and it is hoped that, if not thwarted by the shallowness of the river and other natural obstacles, it may contribute to the protection of the herdsmen of Texas.

The proceedings of the joint commission under the convention between the U. S. and Mexico, of the fourth of July, 1888, on the subject of claims, will soon be brought to a close. The result of these proceedings will then be communicated to Congress.

THE VENEZUELAN DEBT.

I am happy to announce that the government of Venezuela has, upon further consideration, practically abandoned its objections to pay to the United States that share of its revenue which, some years since, it allotted towards the extinguishment of claims of foreigners generally. In the reconsideration of its determination that government has shown a justice and a self-respect which cannot fail to reflect credit upon it in the eyes of all disinterested persons elsewhere. It is to be regretted, however, that its payments on account of the claims of citizens of the United States are still so meagre in amount, and the stipulations of the treaty in regard to the sums to be paid, and the periods when these payments were to take place, should have been so signally disregarded.

TREATY WITH FOREIGN POWERS.

Since my last annual message the exchange has been made of the ratification of a treaty of commerce and navigation with Belgium, and of conventions with the Mexican republic, for the further extension of the joint commission respecting claims, with the Hawaiian Islands for commercial reciprocity, and with the Ottoman Empire for extradition, all of which have been duly proclaimed.

ALABAMA CLAIMS COURT.

The Court of Commissioners of the Alabama claims has prosecuted its important duties very assiduously and very satisfactorily. It convened and was organized on the 22nd day of July, 1874, and by the terms of the act under which it was created it was to exist for one year from date. The act provided, however, that should it be found impracticable to complete the work of the court before the expiration of the year the President might, by proclamation, extend

the time of duration to a period not more than six months beyond the expiration of the one year. Having received satisfactory evidence that it would be impracticable to complete the work within the time originally fixed, I issued a proclamation, a copy of which is presented herewith, extending the time of the duration of the court for a period of six months from and after the 22nd day of July last. A report made through the clerk of the court, communicated herewith, shows the condition of the calendar on the 1st of November last, and the large amount of work which has been accomplished. Thirteen hundred and eighty-two claims have been presented, of which 682 had been disposed of at the date of the report. I am informed that 170 cases were decided during the month of November. Arguments are being made and decisions given in the remaining cases with all the dispatch consistent with the proper complication of the questions submitted. Many of these claims are, in behalf of mariners, or depend on the evidence of mariners, whose absence has delayed the taking of and the return of the necessary evidence. It is represented to me that it will be impracticable for the court to finally dispose of all the cases before it within the present limit of its duration. Justice to the parties claimant, who had been at large expense in preparing their claims and obtaining evidence in their support, suggests a short extension to enable the court to dispose of all of the claims which have been presented. I recommend the legislation which may be deemed proper to enable the court to complete the work before it.

CLAIMS OF ALIENS AGAINST THE U. S.

I recommend that some suitable provision be made, by the creation of a special court, or by conferring the necessary jurisdiction upon such appropriate tribunal, for the consideration and determination of the claims of aliens against the government of the U. S., which have arisen within some reasonable limitation of time, or which may hereafter arise, excluding all claims barred by treaty provisions or otherwise. It has been found impossible to give proper consideration to those claims by the executive department of the government. Such a tribunal would afford an opportunity to aliens, other than British subjects, to present their claims on account of acts committed against their persons or property during the rebellion, as also to those subjects of Great Britain whose claims having risen subsequent to the ninth day of April, 1875, could not be presented to the late commission, organized pursuant to the provisions of the treaty of Washington.

TELEGRAPHY AND TELEGRAPHIC MONOPOLY.

The electric telegraph has become an essential and indispensable agent in the transmission of business and social messages. Its operation on land and within the limit of particular states is necessarily under the control of the jurisdiction within which it operates. The lines on the high seas, however, are not subject to the particular control of any one government. In 1869 a concession was granted by the French government to a company, which proposed to lay a cable from the shores of France to the U. S. At that time there was telegraphic connection between the U. S. and the continent of Europe, through the possessions of Great Britain at either end of the line, under the control of an association which had, at a large outlay of capital, and at great risk, demonstrated the practicability of maintaining such a means of communication. The cost of correspondence by this agency was great; but in the progress of the social and commercial intercourse of the world, this means of communication was found to be a necessity, and the obtaining of this French concession showed that other capital than that already invested was ready to enter into competition with the assurance of an adequate return for their outlay. Impressed with the conviction that the interests, not only of the people of the U. S. but of the world at large, demand and would demand, the multiplication of the means of communication between separated continents, I was desirous that the proposed connection should be made, but certain provisions of the concession were deemed by me to be objectionable, particularly one which

gave, for a long term of years, the exclusive right of telegraphic communication by submarine cable between the shores of France and the U. S.

I could not concede that any power should claim the right to land a cable on the shores of the United States and at the same time deny to the United States, or to its citizens, equal rights to land a cable on its shores. The right to control the conditions for the laying of cable within the jurisdiction and waters of the U. S., to connect our shores with those of any foreign state, pertains exclusively to the government of the United States, under such limitations and conditions as Congress may impose. In the absence of legislation by Congress I was unwilling, on the one hand, to yield to a foreign state the right to say that its grantees might land on our shores, while it denied a similar right to our people to land on its shores; and, on the other hand, I was reluctant to deny to the great interests of the world of civilization the facilities of such communication as were proposed. I therefore withheld any resistance to the landing of any cable on condition that the offensive monopoly feature of the concession be abandoned, and that the right of any cable company which may be established by the authority of this government to land upon French territory, and to connect with the French land lines, and to enjoy all the facilities or privileges incident to the use thereof, upon as favorable terms as any other company be conceded. As the result thereof, the company in question renounced the exclusive privilege, and the representative of France was informed that, understanding this relinquishment to be construed as granting the entire reciprocity and equal facilities which had been demanded, the opposition to the landing of the cable was withdrawn.

The cable, under this French concession, was landed in the month of July, 1869, and has been an efficient and valuable agent of communication between this country and the continent. It soon passed under the control, however, of those who had the management of the cable connecting Great Britain with this continent and theirs, whatever benefit to the public might have ensued, from competition between the two lines was lost, in having the greater facilities of an additional line, and the additional security in case of accident to one of them; but the increased facilities and this additional security, together with the control of the combined capital of the two companies, gave also greater power to prevent the future construction of other lines, and the control of telegraph communication between the two continents to those possessing lines already laid. Within a few months past a cable has been laid, known as the U. S. direct cable company, connecting the United States directly with Great Britain. As soon as this cable was reported to be in working order, the rates of the then existing consolidated company were greatly reduced. Soon, however, a break was announced in this new cable, and immediately the rates of the other line which had been reduced were again raised. This cable being now repaired, the rates appear not to be reduced by either line from those formerly charged by the other company. There is reason to believe that large amounts of capital, both at home and abroad, are ready to seek profitable investment in the advancement of this useful and most civilizing means of intercourse and correspondence; they await, however, the assurance of the means and conditions which may safely be made tributary to the general good.

As these cable telegraphs connect separate States, there are questions as to their organization and control, which probably can be best, if not solely, settled by conventions between the respective States. In the absence, however, of international conventions on the subject, municipal legislation may be secure. Many points which appear to me important if not indispensable for the protection of the public against the extortions which may result from a monopoly of the right of operating cablegrams, or from a combination between the several lines.

First—No line shall be allowed to land on the shores of the U. S. under a concession from another power which does not admit the right of any other line or lines,