

THE PRESIDENT'S MESSAGE.

AS DELIVERED IN TO-DAY'S
SESSION OF THE 49th
CONGRESS.

To the Congress of the United States:

Your assembling is clouded by a sense of public bereavement, caused by the recent sudden death of Thomas A. Hendricks, Vice President of the United States. His distinguished public services, his complete integrity and devotion to every duty, and his personal virtues will find honorable record in his country's history. Ample and repeated proofs of the esteem and confidence in which he was held by his fellow countrymen were manifested by his election to offices of the most important trust and highest dignity, and at length, full of years and honors, he has been laid at rest amidst general sorrow and benediction.

THE MESSAGE.

The Constitution which requires those chosen to legislate for the people to annually meet in the discharge of their solemn trust also requires the President to give Congress information of the state of the Union and recommend to their consideration such measures as he shall deem necessary to expedite at the threshold a compliance with these Constitutional directions. It is well for us to bear in mind that our usefulness to the people's interests will be promoted by a constant appreciation of the scope and character of our respective duties as they relate to federal legislation. While the Executive may recommend such measures as he shall deem expedient, the responsibility for legislative action must and should rest upon those selected by the people to make their laws.

Contemplation of the grave and responsible functions assigned to the executive branches of the government under the constitution will disclose the partitions of power between our respective departments and their necessary independence and also the need for the exercise of all the power entrusted to each in that spirit of comity and co-operation which is essential to the proper fulfillment of the patriotic obligations which rest upon us as faithful servants of the people. The jealous watchfulness of our constituencies, great and small, supplements their suffrage and therefore by the tribunal they establish every public servant should be judged.

OUR FOREIGN RELATIONS.

It is gratifying to announce that the relations of the United States with all foreign powers continue to be friendly. Our position after nearly a century of successful constitutional government, the maintenance of good faith in all of our engagements, the avoidance of complications with other nations and the consistent and amicable attitude toward the strong and weak alike, furnish proof of a political disposition which renders professions of good will unnecessary. There are no questions of difficulty pending with any foreign government.

ARGENTINE CLAIMS.

The Argentine government has revived the long dormant question of the Falkland Islands by claiming from the United States indemnity for their loss, attributed to the action of the commander of the sloop of war *Lexington*, in breaking up a piratical colony on these islands in 1831, and their subsequent occupation by Great Britain. In view of the ample justification for the act of the *Lexington* and the dire condition of the islands before and after their alleged occupation by the Argentine colonists, this government deems their claim as wholly groundless.

KELLY'S REJECTION.

A question has arisen with the government of Austro-Hungary touching the representation of the United States at Vienna, having under my constitutional prerogative appointed an estimable citizen of unimpeached probity and competence as minister at that court, the government of Austro-Hungary invited this government to take cognizance of certain exceptions based upon allegations against the personal acceptability of Mr. Kelly, the appointed envoy, asking that in view thereof the appointment should be withdrawn.

The reasons advanced were such as could not be acquiesced in without a violation of my oath of office and the precepts of the constitution, since they necessarily involved a limitation, in favor of a foreign government, upon the right of selection by the executive, and required such an application of a religious test as a qualification for office under the United States as would have resulted in the practical disfranchisement of a large class of our citizens and the abandonment of a vital principle of our government. The Austro-Hungarian government finally decided not to receive Mr. Kelly as the envoy of the United States and that gentleman has since resigned his commission, leaving the post vacant.

I have made new nominations and the interests of this government at Vienna are now in the care of the Secretary of Legation as charge d'affaires ad interim.

Early in March last war broke out in Central America, caused by the attempt of Guatemala to consolidate the several states into a single government. In these contests between our neighboring states the United States forbore to interfere actively, but lent

the aid of their friendly offices in depreciation of war and to promote peace and concord among the belligerents, and by such counsel contribute importantly to the restoration of tranquility in that locality.

CENTRAL AMERICA.

Emergencies growing out of civil war in the United States of Colombia, demanded of the government at the beginning of this administration, the employment of an armed force to fulfill its guarantees under the thirty-fifth article of the treaty of 1846, in order to keep the transit open across the Isthmus of Panama. Desirous of exercising only the powers expressly reserved to us by the treaty, and mindful of the rights of Colombia, the forces sent to the Isthmus were instructed to confine their action to positively and efficaciously preventing the transit and its accessories from being "intercepted or embarrassed." The execution of this delicate and responsible task necessarily involved police control where the local authority was temporarily powerless, but always in deference to, and mindful of the sovereignty of Colombia. The prompt and successful fulfillment of its duty by this government was highly appreciated by the government of Colombia, and has been followed by an expression of its satisfaction and high praise to the officers and men engaged in this service. The restoration of peace on the Isthmus by the re-establishment of the constituted government there being thus accomplished, the forces of the United States were withdrawn.

Pending these occurrences a question of much importance was presented by decrees of the Colombian government proclaiming the closure of certain ports then in the hands of the insurgents and declaring vessels held by the revolutionists to be piratical and liable to capture by any power. To neither of these propositions could the United States assent. An effective closure of ports not in the possession of the Government, but held by the hostile partisans could not be recognized. Neither could the vessels of insurgents against the legitimate sovereignty be deemed "hosts of insurgents" within the precepts of international law, whatever might be the definition of the penalty of their acts under the municipal law of the State against whose authority they were in revolt. The denial by the government of the Colombian propositions did not, however, imply the admission of a belligerent status on the part of the insurgents. The Colombian government has expressed its willingness to negotiate a convention for the adjustment by arbitration of the claims by foreign citizens, arising out of the destruction of the City of Aspinwall by the insurrectionary forces.

The interest of the United States in a practicable transit for ships across the strip of land separating the Atlantic from the Pacific, has been repeatedly manifested during the last half century. My immediate predecessor caused to be negotiated with Nicaragua a treaty for the construction by, and at the sole cost of, the United States, of a canal through Nicaraguan territory, and laid it before the Senate. Pending the action of that body thereon, I withdrew the treaty for re-examination, and an attentive consideration of its provisions leads me to withhold it from re-submission to the Senate.

Maintaining as I do the tenor of a line of Presidents from Washington's days, which proscribe enlarging entangling alliances with foreign states, I do not favor a policy of acquisition of new and distant territory, or the incorporation of remote interests with our own. The laws of progress are vital and organic, and we must be conscious of that irresistible tide of commercial expansion which as the concomitant of our active civilization, day by day is being urged onward by those increasing facilities of production, transportation and communication to which steam and electricity have given birth. But our duty in the present instructs us to address ourselves mainly to the development of the vast resources of the great area committed to our charge and to the cultivation of the arts of peace within our borders, though jealously alert in preventing the American hemisphere from being involved in the political problems and complication of distant governments. Therefore, I am unable to recommend a proposition involving paramount privileges of ownership or right, outside our own territory, when coupled with absolute and unlimited engagements to defend the territorial integrity of the State, where such interests may be.

ISTHMIAN CANAL.

While the general project of connecting the two oceans by means of a canal is to be encouraged, I am of the opinion that any scheme to that end to be considered with favor shall be free from the features alluded to. The Tehuantepec route is declared by engineers of the highest repute and by competent scientists to afford an entirely practical transit for vessels and cargoes by means of a ship railway from the Atlantic to the Pacific. The obvious advantages of such a route, if feasible, over others more distant from the axial lines of traffic between Europe and the Pacific, and particularly between the valley of the Mississippi and the western coast of North and South America are deserving of consideration. Whatever highway may be constructed across the barrier dividing the two greatest maritime areas of the world must be for the world's benefit; a trust

for mankind, to be removed from the chance of domination by any single power; nor must it become a point for invitation for hostilities or a prize for warlike ambition. An engagement combining the construction, ownership and operation of such a work by this government with an offensive and defensive alliance for its protection with the foreign state whose responsibilities and rights we would share, is in my judgment inconsistent with such dedication to universal and neutral use, and would moreover entail measures for its realization beyond the escape of our neutral policy or present means.

The lapse of years has abundantly confirmed the wisdom and foresight of these earlier administrations which, long before the conditions of maritime intercourse were changed and enlarged by the progress of the age, proclaimed the vital need of inter-oceanic traffic across the commercial Isthmus and consecrated it in advance to the common use of mankind by their positive declarations, and through the formal obligation of treaties. Toward such realization of their efforts my administration will be applied, ever bearing in mind the principles on which it must rest, and which were declared in no uncertain tones by Mr. Cass, who while Secretary of State in 1858, announced that "What the United States want in Central America, next to the happiness of its people, is the security and neutrality of the inter-oceanic routes which lead through it." The construction of three transcontinental lines of railway, all in successful operation, wholly within our territory and uniting the Atlantic and Pacific Oceans, has been accompanied by results of a most interesting and impressive nature, and has created new conditions, not in the routes of commerce only, but in political geography, which powerfully affect our relations toward, and necessarily increase our interests in, any trans-Isthmian route which may be opened and employed for the ends of peace and traffic, or, in other contingencies, for use inimical to both. Transportation is a factor in the hosts of commodities consumed scarcely second to that of their production, and weighs as heavily upon the consumer. Our existence already has proven the great importance of having the competition between land carriage and water carriage fully developed, each acting as a protection to the public against the tendency of monopoly which is inherent in the consolidation of wealth and power in the hands of vast corporations. These suggestions may serve to emphasize what I have already said on the score of the necessity of a neutralization of any inter-oceanic transit, and this can only be accomplished by making the uses of the route open to all nations, and subject to the ambition and war-like necessities of none. The drawings and report of a recent survey of the Nicaragua Canal route made by Chief Engineer Menocal will be communicated for your information.

The claims of citizens of the United States for losses by reason of the late military operations of Chili in Peru and Bolivia are the subject of a negotiation for a claims convention with Chili, providing for their submission to arbitration.

CHINA AND THE CHINESE QUESTION.

The harmony of our relations with China is fully sustained in the application of the acts lately passed to execute the treaty of 1880, restrictive of the immigration of Chinese laborers into the United States. Individual cases of hardship have occurred beyond the power of the Executive to remedy, and calling for judicial determination.

The condition of the Chinese question in the Western States and Territories is, despite this restrictive legislation, far from being satisfactory. The recent outbreak in Wyoming Territory, where numbers of offending Chinamen, indisputably within the protection of the treaties and the law, were murdered by a mob, and the still more recent threatened outbreak of the same character in Washington Territory, are still fresh in the minds of all. And there is apprehension lest the bitterness of feeling against the Mongolian race on the Pacific Slope may find vent in similar lawless demonstration. All the power of this government should be exerted to maintain the ampest good faith toward China in the treatment of these men, and the inflexible sternness of the law in bringing the wrong-doers to justice, should be insisted upon. Every effort has been made by this government to prevent these violent outbreaks and to aid the representatives of China in their investigation of these outrages, and it is but just to say that they are traceable to the lawlessness of men not citizens of the United States, engaged in competition with Chinese laborers. Race prejudice is the chief factor in originating these disturbances and it exists in a large part of our domain, jeopardizing our peace and the good relationship we try to maintain with China. The admitted right of a government to prevent the influx of elements hostile to its internal peace and security may not be questioned, even where there is no treaty stipulation on the subject. That the exclusion of Chinese labor is demanded in other countries where like conditions prevail, is strongly evidenced in the Dominion of Canada where Chinese immigration is now regulated by laws more exclusive than our own. If existing laws are inadequate to compass the end in view I shall be prepared

to give such earnest consideration to further remedial measures within the treaty limits, as the wisdom of Congress may devise.

THE CONGO COUNTRY.

The independent state of the Congo has been organized as a government under the sovereignty of His Majesty, the King of the Belgians, who assumes its chief magistracy in his personal character only, without making the new State a dependency on Belgium. It is fortunate that a benighted region, owing all it has of quickening civilization to the beneficence of the philanthropic spirit of this monarch should have the advantage and security of his benevolent supervision.

The action taken by this government last year in being the first to recognize the flag of the International Association of the Congo has been followed by formal recognition of the new nationality, which succeeds to its sovereign powers. A conference of delegates of the principal commercial nations was held at Berlin last winter to discuss methods whereby the Congo basin might be kept open to the world's trade. Delegates attended on behalf of the United States, on the understanding that their part should be merely deliberative without imparting to the results any binding character, so far as the United States were concerned. This reserve was due to the indisposition of this government to share in any disposal, by an International Congress, of jurisdictional questions in relation to the state of foreign territories. The results of the conference were embodied in a formal act of the nature of an international convention which laid down certain obligations purporting to be binding on the signers, subject to ratification within one year. Notwithstanding the reservation under which the delegates of the United States appended their signatures, they were attached to the general act in the same manner as those of the plenipotentiaries of other governments, thus making the United States appear without reason or qualification as signatories to the joint international engagement imposing on the signers the conservation of the territorial integrity of distant regions where we have no established interests or control. This government does not, however, regard its reservation of liberty of action in the premises as at all impaired, holding as we do, that an engagement to share in the obligation of enforcing neutrality in the remote Valley of the Congo, is an alliance whose responsibilities we are not in a position to assume. I abstain from asking the sanction of the Senate to that act.

The correspondence will be laid before you, and the instructive and interesting report of the agent sent by this government to the Congo country, and his recommendations for the establishment of commercial agencies on the African coast are also submitted for your consideration.

CENTRAL AND SOUTH AMERICA.

The commission appointed by my predecessor last winter to visit the Central and South American countries and report on the methods of enlarging the commercial relations of the United States therewith, has submitted reports which will be laid before you. No opportunity has been omitted to testify the friendliness of this government toward Corea whose entrance into the family of treaty powers the United States were the first to recognize.

I regard with favor the application made by the Corean Government to be allowed to employ American officers as military instructors, to which the assent of Congress becomes necessary, and I am happy to say this request has the concurrent sanction of China and Japan.

The arrest and imprisonment of Julio Santos, a citizen of the United States, by the authorities of Ecuador, gave rise to a convention with that government, in which his right to be released, or to have a speedy and impartial trial on announced charges, and with all the guarantees of defense stipulated by treaty, was insisted upon by the United States. After an elaborate correspondence and repeated and earnest representations on our part, Mr. Santos was, after alleged trial and conviction, eventually included in a general decree of amnesty and pardoned by the Ecuadorian executive, and released, leaving the question of his American citizenship denied by the Ecuadorian government, but insisted upon by our own.

The amount adjudged by the late French and American claims commission to be due from the United States to French claimants on account of injuries suffered by them during the war of secession, having been appropriated by the last Congress, has been duly paid the French government.

FRENCH RESTRICTIONS.

The act of February 25, 1885, provided for a preliminary search of the records of the French prize court for evidence bearing on the claims of American citizens against France for spoils committed prior to 1801. The duty has been performed and the report of the agent will be laid before you.

I regret to say that the restrictions upon the importation of our pork into France continue, notwithstanding the abundant demonstration of the absence of sanitary danger in its use; but I entertain strong hopes that with a better understanding of the matter, this vexatious prohibition will be removed. It would be pleasing to be able to say as much with respect to Germany, Austria and other countries, where such food products are abso-

lutely excluded without present prospect of reasonable change.

GERMAN AMERICANS.

The interpretation of our existing treaties of naturalization by Germany during the past year has attracted attention by reason of an apparent tendency on the part of the Imperial government to extend the scope of Presidential restrictions to which returning naturalized citizens to Germany are asserted to be liable under the laws of the empire. The temperate and just attitude taken by this government with regard to this class of questions will doubtless lead to a satisfactory understanding.

The dispute of Germany and Spain relating to the dominion of the

CAROLINE ISLANDS

has attracted the attention of this government by reason of the extension of the interests of American citizens having grown up in those parts during the last 39 years, and because the question of ownership involved the jurisdiction of matters affecting the status of our citizens under the civil and criminal law. While standing wholly aloof from the proprietary issues raised between those powers, to both of which the United States are friendly. This government expects that nothing in the present contention shall unfavorably affect our citizens in carrying on a peaceful commerce with the people there domiciled, and we have so informed the government of Spain. Marked good-will between the

UNITED STATES AND GREAT BRITAIN

has been maintained during the past year. The termination of the fishing clauses of the treaty of Washington, in pursuance of the joint resolution of March 3, 1883, must have resulted in the abrupt cessation on the first of July, of this year, in the midst of the operations of citizens of the United States engaged in fishing in British American waters, but for a diplomatic understanding reached with Her Majesty's Government in June last, whereby the assurance was obtained that no interruption of those operations should take place during the current season.

In the interest of good neighborhood and of the commercial intercourse of adjacent communities, the question of the North American fisheries is one of much importance. Following out the intimation given by me when the arrangement described was negotiated, I recommend that Congress provide for the appointment of a commission on which the governments of the United States and Great Britain shall be respectively represented, charged with the consideration and settlement upon a just, equitable and honorable basis of the entire question of the fishing rights of the two governments and their respective citizens on the coast of the United States and British North America. The fishing interests being intimately related to other general questions dependent upon contiguity and intercourse, a consideration thereof in all their equities, might also properly come within the purview of such commission and the fullest latitude of expression on both sides should be permitted. The correspondence in relation to the fishing rights will be submitted.

The Arctic exploring steamer *Alert*, which was generously given by Her Majesty's government to aid in the relief of the Greeley expedition, was, after the successful attainment of that humane purpose, returned to Great Britain in pursuance of the authority conferred by the act of March 3d, 1885.

The inadequacy of the existing engagements for extradition between the United States and Great Britain has been long apparent. The tenth article of the treaty of 1842, one of the earliest compacts in this regard entered into by the United States, stipulated for a surrender in respect of a limited number of offenses. Other crimes no less inimical to the social welfare should be embraced, and the procedure of extradition brought in harmony with the present international practices. Negotiations have been pending with Her Majesty's government for an enlarged treaty since 1870, and I entertain strong hopes that a satisfactory result may be soon attained. The frontier line between Alaska and British Columbia, as defined by the treaty of the cession with Russia, follows the demarcation assigned in a prior treaty between Great Britain and Russia. Modern exploration discloses that this ancient boundary is impracticable as a geographical fact. In the unsettled condition of that region the question has lacked importance, but the discovery of mineral wealth in the territory, the line is supposed to traverse, admonishes that the time has come when an accurate knowledge of the boundary is needful to avert jurisdictional complications. I recommend therefore that provision be made for a preliminary reconnaissance by officers of the United States to the end of acquiring more precise information on the subject. I have invited other governments to consider with us the adoption of a more convenient boundary to be established by meridian observations, or by known geographical features, without the necessity of an expensive survey of the whole.

The late insurrectionary movements in

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having been quelled, the government of that republic has made prompt provision for adjusting the losses suffered by foreigners because of hostilities there, and the claims of