

DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

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THE PRESIDENT'S MESSAGE.

A STATESMANLIKE AND COM-
PREHENSIVE DOCUMENT.Revenue Reform Strongly Advo-
cated.HE STICKS TO THE CIVIL SER-
VICE LAW.Wise and Pertinent Suggestions on
Public Topics.

BUT SILENT AS TO OUR TERRITORY.

To the Congress of the United States:

In the discharge of a Constitutional duty, and following a well established precedent in the Executive office, I herewith transmit to the Congress at its assembling certain information concerning the state of the Union, together with such recommendations for legislative consideration as appear necessary and expedient.

Our Government has consistently maintained its relations of friendship toward all powers, and of neighborly interest toward those whose possessions are contiguous to our own. Few questions have arisen during the past year with other governments, and none of those are beyond the reach of settlement in friendly council. We are as yet without provision for the

SETTLEMENT OF CLAIMS

of citizens of the United States against Chili for injuries done in the war with Peru and Bolivia. The mixed commission organized under the claims convention concluded by the Chili government with certain European States, have developed an amount of friction which we trust can be avoided in the convention which our representative at Santiago is authorized to negotiate.

CHINESE PERSECUTIONS:

The cruel treatment of inoffensive Chinese has, I regret to say, been repeated in some of the far Western States and Territories, and acts of violence against those people beyond the power of the local constituted authorities to prevent and difficult to punish, are reported even in distant Alaska. Much of this violence can be traced to race prejudice and competition of labor, which cannot, however, justify the oppression of strangers whose safety is guaranteed by our treaty with China equally with the most favored nations. In opening our vast domain to alien elements, the purpose of our law-givers was to invite assimilation and not to provide an arena of endless antagonisms. The paramount duty of maintaining public order and defending the interests of our own people, may require the adoption of measures of restriction, but they should not tolerate the oppression of individuals of a special race.

I am not without assurance that the government of China, whose friendly disposition towards us I am most happy to recognize, will meet us halfway in devising a comprehensible remedy by which an effective limitation of Chinese immigration joined to the protection of those Chinese subjects who remain in this country may be secured. Legislation is needed to execute the provisions of our Chinese convention of 1880 touching the opium traffic.

CENTRAL AMERICAN RELATIONS.

While the good will of the Colombian government toward our country is manifest, the situation of American interests on the Isthmus of Panama has at times excited concern and invited friendly action looking to the performance of the engagements of the two nations concerning the territory embraced in the inter-oceanic transit. With the subsidence of the Isthmian disturbances and the erection of the State of Panama into a federal district under the direct government of the constitutional administration at Bogota, a new order of things has been inaugurated which, although as yet somewhat experimental and affording scope for the arbitrary exercise of power by the delegates of the national authorities, promises much improvement.

FRIENDSHIP WITH FRANCE.

The sympathy between the people of the United States and France, born during our colonial struggle for inde-

pendence and continuing to-day, has received a fresh impulse in the successful completion and dedication of the colossal statue of "Liberty Enlightening the World" in New York harbor, the gift of Frenchmen to Americans.

A convention between the United States and certain other powers for the protection of sub-marine cables was signed at Paris on March 14th, 1884, and has been duly ratified and proclaimed by this government. By agreement between the high contracting parties this convention is to go into effect the first of January next, but the legislation required for its execution in the United States has not yet been adopted. I earnestly recommend its enactment.

OUR GERMAN RELATIONS.

Cases have continued to occur in Germany giving rise to much correspondence in relation to the privilege of sojourn of our naturalized citizens of German origin revisiting the land of their birth. Yet I am happy to state that our relations with that country have lost none of their accustomed cordiality. The claims for interest upon the amount of tonnage dues illegally exacted from certain German steamship lines were favorably reported in both houses of Congress at the last session, and I trust will receive final and favorable action at an early day.

THE FISHERIES.

The recommendation contained in my last annual message in relation to a mode of settlement of the fishery rights in the waters of British North America, so long the subject of anxious difference between the United States and Great Britain, was met by an adverse vote of the Senate on April 16th last, and thereupon negotiations were instituted to obtain an agreement with her Britannic Majesty's government for the promulgation of such joint interpretation and definition of the article of the convention of 1818 relating to the Territorial waters and inshore fisheries of the British provinces as should secure the Canadian rights from encroachment from United States fishermen and at the same time insure the enjoyment by the latter of the privileges guaranteed to them by such convention. The questions involved are of long standing, are of grave consequence and from time to time, for nearly three-quarters of a century, have given rise to earnest international discussion not unaccompanied by irritation. Temporary arrangements by treaty have served to allay friction, which, however, has revived as each treaty has terminated. The last arrangement under the treaty of 1871 was abrogated after due notice by the United States on June 30, 1885, but I was enabled to obtain for our fishermen for the remainder of that season, enjoyment of the full privileges accorded by the terminating treaty. The joint commission by whom the treaty had been negotiated, although invested with plenary power to make a permanent settlement, were content with a temporary arrangement, after the termination of which the question was relegated to the stipulation of the treaty of 1818 as to the first article of which no construction satisfactory to both countries has ever been agreed upon. The progress of civilization and growth of population in the British provinces to which the fisheries in question are contiguous, and the expansion of commercial intercourse between them and the United States present to-day a condition of affairs scarcely realizable at the date of the negotiations of 1818. New and vast interests have been brought into existence, modes of intercourse between the respective countries have been invented and multiplied. The methods of conducting the fisheries have been wholly changed, and all this is necessarily entitled to candid and careful consideration and the adjustment of the terms and conditions of intercourse and commerce between the United States and their neighbors along a frontier of over 3,500 miles. This proximity, community of language and occupation and similarity of political and social institutions, indicate the practicability and obvious wisdom of maintaining mutually beneficial and friendly relations; whilst I am unfeignedly desirous that such relations should exist between us and the inhabitants of Canada, yet the action of their officials during the past season toward our fishermen has been such as to seriously threaten their continuance, although disappointed in my efforts to secure a satisfactory settlement.

The fishery question negotiations are still pending, with a reasonable hope that before the close of the present session of Congress, such advancement may be made that an acceptable conclusion may be reached. At an early day there may be laid before Congress the correspondence of the Department of State in relation to this important subject, so that the history of the past fishing season may be fully disclosed and the action and the attitude of the administration clearly comprehended. More extended reference is not deemed necessary in this communication.

ALASKA AND HAWAII.

The recommendation submitted last year, that provision be made for a preliminary reconnaissance of the conventional boundary line between Alaska and British Columbia, is renewed. I express my unhesitating conviction that the intimacy of our relations with Hawaii should be emphasized. As a result of the reciprocity treaty of 1875, those islands, on the highway o-

riental and Australian traffic, are virtually an outpost of American commerce, and a stepping stone to the growing trade of the Pacific. The Polynesian Island groups have been so absorbed by other and more powerful governments, that the Hawaiian Islands are left almost alone in the enjoyment of their autonomy which it is important for us should be preserved. Our treaty is now terminable on one year's notice, but propositions to abrogate it would in my judgment be most ill-advised. The paramount influence we have there acquired, once relinquished, could only with difficulty be regained, and a valuable coln of vantage for ourselves might be converted into a stronghold for our commercial competitors. I earnestly recommend that the existing treaty stipulations be extended for a further term of seven years. A recently signed treaty to this end is now before the Senate. The importance of telegraphic communication between those islands and the United States should not be overlooked.

JAPAN.

The question of a general revision of the treaties of Japan is again under discussion at Tokio. As the first, to open relations with that empire, and as the nation in most direct commercial relation with Japan, the United States have lost no opportunity to testify their consistent friendship by supporting the just claims of Japan to autonomy and independence among the nations. A treaty of extradition between the United States and Japan, the first concluded by that empire, has been lately proclaimed.

BERIA.

The weakness of Liberia and the difficulty of maintaining effective sovereignty over its outlying districts have exposed that republic to encroachments. cannot be forgotten that this distant community is an offshoot of our system, owing its origin to the associated benevolence of American citizens, whose praiseworthy efforts to create a nucleus of civilization in the dark continent have commanded respect and sympathy everywhere, especially in this country. Although a formal protectorate over Liberia is contrary to our traditional policy, the moral right and duty of the United States to assist in all proper ways in the maintenance of its integrity is obvious and has been consistently advanced during nearly half a century. I recommend that in the reorganization of our navy, small vessels no longer found adequate to our needs, be presented to Liberia to be employed by it in the protection of its coastwise revenues.

MEXICO.

The encouraging development of beneficial and intimate relations between the United States and Mexico, which has been so marked within the past few years, is at once the occasion of congratulation and of friendly solicitude. I urgently renew my former representation of the need of speedy legislation by Congress to carry into effect the reciprocity commercial convention of January 20, 1883. Our commercial treaty of 1831 with Mexico was terminated according to its provisions in 1881, upon notification given by Mexico, in pursuance of her announced policy of recasting all her American treaties. Mexico has since concluded with several foreign governments new treaties of commerce and navigation, defusing alien rights of trade, property, and residence, treatment of shipping, consular privileges, and the like. Our yet unexecuted reciprocity convention of 1883 covers none of these points, the settlement of which is so necessary to good relationship. I propose to initiate with Mexico negotiations for a new and enlarged treaty of commerce and navigation.

THE CUTTING CASE.

In compliance with a resolution of the Senate, communicated to that body on August 2d last, and also to the House of Representatives, the correspondence in the case of A. K. Cutting, an American citizen then imprisoned in Mexico, charged with the commission of a penal offense in Texas, of which a Mexican citizen was the object. After demand had been made for his release, the charge against him was amended so as to include a violation of Mexican law within Mexican Territory. This joinder of alleged offenses, one within and the other exterior to Mexico, induced me to order a special investigation of the case, pending which Mr. Cutting was released. The incident has, however, disclosed a claim of jurisdiction by Mexico novel in our history, whereby any offense, committed anywhere by a foreigner, penal in the place of its commission, and of which a Mexican is the object, may, if the offender be found in Mexico, be there tried and punished in conformity with Mexican laws. Jurisdiction was sustained by the courts of Mexico in the Cutting case and approved by the executive branch of that government, upon the authority of a Mexican statute. The appellate court, in releasing Mr. Cutting, decided that the abandonment of the complaint by the Mexican citizen aggrieved by the alleged crime (a libelous publication) removed the basis of further prosecution, and also declared justice to have been satisfied by the enforcement of a small part of the original sentence. The admission of such a pretension would be attended with serious results, invasive of the jurisdiction of this government, and

highly dangerous to our citizens in foreign lands; therefore I have denied it, and protested against its attempted exercise as unwarranted by the principles of law and international usages. A sovereign jurisdiction of offences which take effect within his territory, although concocted or commenced outside of it; but the right is denied of any foreign sovereign to punish a citizen of the United States for an offense consummated on our soil in violation of our laws, even though the offense be against a subject or citizen of such sovereign. The Mexican statute in question makes the claim broadly, and the principle, if conceded, would create a dual responsibility in the citizen and lead to a confusion, destructive of that certainty in the law which is an essential to liberty. When citizens of the United States voluntarily go into a foreign country, they must abide by the laws there in force, and will not be protected by their own government from the consequence of an offense against those laws committed in such foreign country; but the watchful care and interest of the government over its citizens are not relinquished because they have gone abroad, and if charged with crime committed in a foreign land, a fair and open trial conducted with a decent regard for justice and humanity, will be demanded for them. With less than that this government will not be content, when the life or liberty of its citizens is at stake. Whatever the degree to which extra-territorial criminal jurisdiction may have been formerly allowed by consent and reciprocal agreement among certain of the European states, no such doctrine or practice was ever known to the laws of this country or of that from which our institutions have mainly been derived. In the case of Mexico, there are reasons especially strong for perfect harmony in the mutual exercise of jurisdiction. Nature has made us irrevocably neighbors, and wisdom and kind feelings should make us friends. The overflow of capital and enterprise from the United States is a potent factor in assisting the development of the resources of Mexico and in building up the prosperity of both countries. To assist this good work, all grounds of apprehension for the security of person and property should be removed, and I trust that in the interests of good neighborhood, the statute referred to will be so modified as to eliminate the present possibilities of danger to the peace of the two countries.

THE NETHERLANDS.

The government of the Netherlands has exhibited concern in relation to certain features of our tariff laws which are supposed by them to be aimed at a class of tobacco produced in the Dutch East Indies. Comment would seem unnecessary upon the unwisdom of legislation appearing to have a special national discrimination for its object, which, although unintentional, may give rise to injurious retaliation. The establishment, less than four years ago, of a legation at Teheran is bearing fruit in the interest exhibited by the Shah's government, in the industrial activity of the United States, and the opportunities of beneficial interchanges.

PERU.

Stable government is now happily restored in Peru by the election of a constitutional President, and a period of rehabilitation is entered upon, but recovery is necessarily slow from the exhaustion caused by the late war and civil disturbance. A convention to adjust by arbitration the claims of our citizens has been promised and is under consideration.

THE "JEANNETTE" TESTIMONIAL.

The naval officer who bore to Siberia the testimonial bestowed by Congress in recognition of the aid given to the *Jeannette* survivors, has successfully accomplished his mission. His interesting report will be submitted. It is pleasant to know that this mark of appreciation has been welcomed by the Russian government and people as befits the traditional friendship of the two countries.

THE SAMOAN ISLANDS.

Civil perturbations in the Samoan Islands have during the past few years been a source of considerable embarrassment to the three governments, Germany, Great Britain and the United States, whose relations and extra-territorial rights in that important group are guaranteed by treaties. The weakness of the native administration and the conflict of opposing interests in the islands have led King Malitua to seek alliance or protection in some one of the three powers, and the three governments, where no one of the three treaty powers may acquire any paramount or exclusive interest. In May last Malitua offered to place Samoa under the protection of the United States, and the late consul, without authority, assumed to grant it. The proceeding was promptly disavowed and the over zealous official recalled. Special agents of the three governments have been deputed to examine the situation in the islands. With a change in the representation of all three powers and a harmonious understanding between them, the peace, prosperity and autonomous administration and neutrality of Samoa can hardly fail to be secured.

OUR CASE WITH SPAIN.

It appearing that the government of Spain did not extend to the flag of the United States in the Antilles the whole

measure of reciprocity requisite under our statute for the continuance of the suspension of discriminations against the Spanish flag in our ports, I was constrained in October last to rescind my predecessor's proclamation of February 14, 1884, permitting such suspension. An arrangement was, however, speedily reached, and upon notification from the government of Spain that all differential treatment of our vessels and their cargoes from the United States or from any foreign country had been completely and absolutely relinquished, I availed myself of my discretion conferred by law, and issued on the 27th of October, my proclamation declaring reciprocal suspension in the United States. It is most gratifying to bear testimony to this earnest spirit in which the government of the Queen Regent has met our efforts to avert the initiation of commercial discriminations and reprisals, which are ever disastrous to the material interests and the political goodwill of the countries they may affect. The profitable development of the large commercial exchanges between the United States and the Spanish Antilles is naturally an object of solicitude. Lying close at our doors, and finding here their main markets of supply and demand, the welfare of Cuba and Porto Rico and their production and trade, are scarcely less important to us than to Spain. Their commercial and financial movements are so naturally a part of our system that no obstacle to fuller, freer intercourse should be permitted to exist. The standing instructions of our representatives at Madrid and Havana have for years been to leave no effort untried to further these ends, and at no time has the equal good desire of Spain been more hopefully manifested than now. The government of Spain thus removing the consular tonnage fees of cargoes shipped to the Antilles and by reducing passport fees, has shown its recognition of the needs of less trammelled intercourse.

OUR TURKISH RELATIONS.

An effort has been made during the past year to remove the hindrances to the proclamation of the treaty of naturalization with the Sublime Porte, signed in 1874, which has remained inoperative owing to a disagreement of interpretation of the clauses relative to the effects of the return to and sojourn of a naturalized citizen in the land of his origin, and I trust soon to be able to announce a favorable settlement of the differences as to this interpretation. It has been highly satisfactory to note the improved treatment of American missionaries in Turkey, as has been attested by their acknowledgements of our late minister to that government, of his successful exertions in their behalf.

THE VENEZUELAN CONVENTION.

The exchange of ratification of the convention of December 5, 1885, with Venezuela, for the re-opening of the awards of the Caracas commission under the claims convention of 1886, has not yet been effected, owing to the delay of the executive of that republic in ratifying the measure. I trust that this postponement will be brief, but should it much longer continue, the delay may well be regarded as a rescission of the compact and a failure on the part of Venezuela to complete an arrangement so persistently sought by us during many years and assented to by this government in a spirit of international fairness, although to the detriment of holders of bona fide awards of the impugned commission.

CITIZENSHIP AND NATURALIZATION.

I renew the recommendation of my last annual message that existing legislation concerning citizenship and naturalization be revised. We have treaties with many states providing for the renunciation of citizenship by naturalized aliens, but no statute is found to give effect to such engagements, nor any which provides a needed central bureau for the registration of naturalized citizens.

EXTRADITION.

Experience suggests that our statutes regulating extradition might be advantageously amended by a provision for the transit across our territory, now a convenient thoroughfare of travel from one foreign country to another, of fugitives surrendered by a foreign government to a third State; such provisions are unusual in the legislation of other countries and tend to prevent the miscarriage of justice. It is also desirable, in order to remove present uncertainty, that authority should be conferred on the Secretary of State to issue a certificate in case of an arrest for the purpose of extradition to the officer before whom the proceeding is pending, showing that a requisition for the surrender of the person charged, has been duly made. Such a certificate, if required to be received before the prisoner's examination, would prevent a long and expensive judicial inquiry into a charge which the foreign government might not desire to press. I also recommend that express provision be made for the immediate discharge from custody of persons committed for extradition where the President is of opinion that the surrender should not be made.

INTERNATIONAL COPYRIGHT.

The drift of sentiment in civilized communities toward a full recognition of the rights of property in the crea-