Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Benjamin Harrison

BENJAMIN HARRISON, twenty-third President of the United States, was born at North Bend, Ohio, August 20, 1833. His father, John Scott Harrison, was the third son of General William Henry Harrison, ninth President of the United States, who was the third and youngest son of Benjamin Harrison, one of the signers of the Declaration of Independence. John Scott Harrison was twice married, his second wife being Elizabeth, daughter of Archibald Irwin, of Mercersburg, Pa. Benjamin was the second son of this marriage. His parents were resolutely determined upon the education of their children, and early in childhood Benjamin was placed under private instruction at home. In 1847 he and his elder brother were sent to a school on what was known as College Hill, a few miles from Cincinnati. After remaining there two years entered the junior class at Miami University, at Oxford, Ohio, where he was graduated in 1852. Was married October 20, 1853, to Caroline Scott, daughter of Dr. John W. Scott, who was then president of Oxford Female Seminary, from which Mrs. Harrison was graduated in 1852. After studying law under Storer & Gwynne in Cincinnati, Mr. Harrison was admitted to the bar in 1854, and began the practice of his profession at Indianapolis, Ind., which has since been his home. Was appointed crier of the Federal court, at a salary of $2.50 per day. This was the first money he had ever earned. Jonathan W. Gordon, one of the leaders of the Indianapolis bar, called young Harrison to his assistance in the prosecution of a criminal tried for burglary, and intrusted to him the plea for the State. He had taken ample notes of the evidence, but the case was closed at night, and the court-house being dimly lighted by tallow candles, he was unable to read them when he arose to address the court and jury. Laying them aside, he depended entirely upon his memory and found it perfect. He made an eloquent plea, produced a marked impression, and won the case. Since then he has always been an impromptu speaker. Formed a partnership later with William Wallace, but in 1860 the latter became clerk of Marion County, and the firm was changed to Harrison & Fishback, which was terminated by the entry of the senior partner into the Army in 1862. Was

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

chosen reporter of the supreme court of Indiana in 1860 on the Republican ticket. This was his first active appearance in the political field. When the Civil War began assisted in raising the Seventieth Indiana Regiment of Volunteers, taking a second lieutenant's commission and raising Company A of that regiment. Governor Morton tendered him the command of the regiment and he was commissioned its colonel. Mr. Harrison appointed a deputy reporter for the supreme court. In the ensuing autumn the Democratic State committee, considering his position as a civil officer vacated by this military appointment, nominated and elected a successor, although his term of office had not expired. Their view was sustained by the State supreme court; but in 1864, while Colonel Harrison was in the Army, the people of Indiana gave their judgment by reelecting him to the position of supreme-court reporter by an overwhelming majority. In 1862 the Seventieth Indiana went into the field with Harrison as its colonel, their objective point being Bowling Green, Ky. It was brigaded with the Seventy-ninth Ohio and the One hundred and second, One hundred and fifth, and One hundred and twenty-ninth Illinois regiments, under Brigadier-General Ward, of Kentucky, and this organization was kept unchanged until the close of the war. Colonel Harrison had the right of the brigade, and his command was occupied at first in guarding railroads and hunting guerrillas, his energies being largely spent in drilling his men. When General Rosecrans set out for Chattanooga General Ward was sent on duty to Nashville, and on January 2, 1864, his command was called to the front. Later this brigade became the First Brigade of the Third Division of the Twentieth Army Corps, under General Hooker, General Ward resuming its command. The campaign under General Sherman, upon which his regiment with its associate forces entered, was directed, as is now known, against the Confederate army of General Joseph E. Johnston, and not against any particular place. In the Federal advance one of the severest actions was fought at Resaca, Ga., May 14 and 15, 1864, and the Seventieth Indiana led the assault. His regiment participated in the fights at New Hope Church and at Golgotha Church, Kenesaw Mountain, and Peach Tree Creek. When Atlanta was taken by Sherman, September 2, 1864, Colonel Harrison received his first furlough to visit home, being assigned to special duty in a canvass of the State to recruit for the forces in the field. Returning to Chattanooga and then to Nashville, he was placed in command of a provisional brigade held in reserve at the battle at the latter place (December 15 and 16, 1864), and was but little engaged. When the fight was over he was sent in pursuit of the Confederate general Hood. Recalled from that pursuit, was next ordered to report to General Sherman at Savannah. While passing through New York he succumbed to an attack of scarlet fever, but in a few weeks was able to proceed on his way. Joining Sherman at Goldsboro, N. C., resumed command of his old brigade, and at the close of the war went with it to Washington

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

to take part in the grand review of the armies. Was duly mustered out of the service June 8, 1865, not, however, until he had received a commission as brevet brigadier-general, dated January 23, 1865. Returning to Indianapolis after the war, resumed his office of reporter of the supreme court, but in 1867 declined a renomination, preferring to devote himself exclusively to the practice of law. Became a member of the firm of Porter, Harrison & Fishback, and, after subsequent changes, of that of Harrison, Miller & Elam. Took part in 1868 and 1872 in the Presidential campaigns in support of General Grant, traveling over Indiana and speaking to large audiences. In 1876 at first declined a nomination for governor on the Republican ticket, consenting to run only after the regular nominee had withdrawn. In this contest he received almost 2,000 more votes than his associates, but was defeated. Was a member of the Mississippi River Commission in 1879. In 1880, as chairman of the Indiana delegation in the Republican national convention, he cast nearly the entire vote of the State for James A. Garfield for President. President Garfield offered him a place in his Cabinet, but he declined it, preferring the United States Senatorship from Indiana, to which he had just been chosen, and which he held from 1881 to 1887. In the Senate he advocated the tariff views of his party, opposed President Cleveland's vetoes of pension bills, urged the reconstruction and upbuilding of the Navy, and labored and voted for civil-service reform. Was a delegate at large to the Republican national convention in 1884, and in 1888 at Chicago was nominated for the Presidency on the eighth ballot. The nomination was made unanimous, and in November he was elected, receiving 233 electoral votes to 168 for Grover Cleveland. Was inaugurated March 4, 1889. Was again nominated for the Presidency at the national Republican convention which met at Minneapolis in 1892, but was defeated at the November election, receiving 145 electoral votes, against 276 votes for Grover Cleveland. Upon his retiring from office located at Indianapolis, Ind., where he now resides.

INAUGURAL ADDRESS.

FELLOW-CITIZENS: There is no constitutional or legal requirement that the President shall take the oath of office in the presence of the people, but there is so manifest an appropriateness in the public induction to office of the chief executive officer of the nation that from the beginning of the Government the people, to whose service the official oath consecrates the officer, have been called to witness the solemn ceremonial. The oath taken in the presence of the people becomes a mutual covenant. The officer covenants to serve the whole body of the people by a

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

faithful execution of the laws, so that they may be the unfailing defense and security of those who respect and observe them, and that neither wealth, station, nor the power of combinations shall be able to evade their just penalties or to wrest them from a beneficent public purpose to serve the ends of cruelty or selfishness.

My promise is spoken; yours unspoken, but not the less real and solemn. The people of every State have here their representatives. Surely I do not misinterpret the spirit of the occasion when I assume that the whole body of the people covenant with me and with each other to-day to support and defend the Constitution and the Union of the States, to yield willing obedience to all the laws and each to every other citizen his equal civil and political rights. Entering thus solemnly into covenant with each other, we may reverently invoke and confidently expect the favor and help of Almighty God—that He will give to me wisdom, strength, and fidelity, and to our people a spirit of fraternity and a love of righteousness and peace.

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

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

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

The Territory of Dakota has now a population greater than any of the original States (except Virginia) and greater than the aggregate of five of the smaller States in 1790. The center of population when our

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

national capital was located was east of Baltimore, and it was argued by many well-informed persons that it would move eastward rather than westward; yet in 1880 it was found to be near Cincinnati, and the new census about to be taken will show another stride to the westward. That which was the body has come to be only the rich fringe of the nation's robe. But our growth has not been limited to territory, population, and aggregate wealth, marvelous as it has been in each of those directions. The masses of our people are better fed, clothed, and housed than their fathers were. The facilities for popular education have been vastly enlarged and more generally diffused.

The virtues of courage and patriotism have given recent proof of their continued presence and increasing power in the hearts and over the lives of our people. The influences of religion have been multiplied and strengthened. The sweet offices of charity have greatly increased. The virtue of temperance is held in higher estimation. We have not attained an ideal condition. Not all of our people are happy and prosperous; not all of them are virtuous and law-abiding. But on the whole the opportunities offered to the individual to secure the comforts of life are better than are found elsewhere and largely better than they were here one hundred years ago.

The surrender of a large measure of sovereignty to the General Government, effected by the adoption of the Constitution, was not accomplished until the suggestions of reason were strongly reenforced by the more imperative voice of experience. The divergent interests of peace speedily demanded a "more perfect union." The merchant, the shipmaster, and the manufacturer discovered and disclosed to our statesmen and to the people that commercial emancipation must be added to the political freedom which had been so bravely won. The commercial policy of the mother country had not relaxed any of its hard and oppressive features. To hold in check the development of our commercial marine, to prevent or retard the establishment and growth of manufactures in the States, and so to secure the American market for their shops and the carrying trade for their ships, was the policy of European statesmen, and was pursued with the most selfish vigor.

Petitions poured in upon Congress urging the imposition of discriminating duties that should encourage the production of needed things at home. The patriotism of the people, which no longer found a field of exercise in war, was energetically directed to the duty of equipping the young Republic for the defense of its independence by making its people self-dependent. Societies for the promotion of home manufactures and for encouraging the use of domestics in the dress of the people were organized in many of the States. The revival at the end of the century of the same patriotic interest in the preservation and development of domestic industries and the defense of our working people against injurious foreign competition is an incident worthy of attention. It is not

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

a departure but a return that we have witnessed. The protective policy had then its opponents. The argument was made, as now, that its benefits inured to particular classes or sections.

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

The sectional element has happily been eliminated from the tariff discussion. We have no longer States that are necessarily only planting States. None are excluded from achieving that diversification of pursuits among the people which brings wealth and contentment. The cotton plantation will not be less valuable when the product is spun in the country town by operatives whose necessities call for diversified crops and create a home demand for garden and agricultural products. Every new mine, furnace, and factory is an extension of the productive capacity of the State more real and valuable than added territory.

Shall the prejudices and paralysis of slavery continue to hang upon the skirts of progress? How long will those who rejoice that slavery no longer exists cherish or tolerate the incapacities it put upon their communities? I look hopefully to the continuance of our protective system and to the consequent development of manufacturing and mining enterprises in the States hitherto wholly given to agriculture as a potent influence in the perfect unification of our people. The men who have invested their capital in these enterprises, the farmers who have felt the benefit of their neighborhood, and the men who work in shop or field will not fail to find and to defend a community of interest.

Is it not quite possible that the farmers and the promoters of the great mining and manufacturing enterprises which have recently been established in the South may yet find that the free ballot of the workingman, without distinction of race, is needed for their defense as well as for his own? I do not doubt that if those men in the South who now accept the tariff views of Clay and the constitutional expositions of Webster would courageously avow and defend their real convictions they would not find it difficult, by friendly instruction and cooperation, to make the black man their efficient and safe ally, not only in establishing correct principles in our national administration, but in preserving for their local communities the benefits of social order and economical and honest government. At

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

least until the good offices of kindness and education have been fairly tried the contrary conclusion can not be plausibly urged.

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

If our great corporations would more scrupulously observe their legal limitations and duties, they would have less cause to complain of the unlawful limitations of their rights or of violent interference with their operations. The community that by concert, open or secret, among its citizens denies to a portion of its members their plain rights under the law has severed the only safe bond of social order and prosperity. The evil works from a bad center both ways. It demoralizes those who practice it and destroys the faith of those who suffer by it in the efficiency of the law as a safe protector. The man in whose breast that faith has been darkened is naturally the subject of dangerous and uncanny suggestions. Those who use unlawful methods, if moved by no higher motive than the selfishness that prompted them, may well stop and inquire what is to be the end of this.

An unlawful expedient can not become a permanent condition of government. If the educated and influential classes in a community either practice or connive at the systematic violation of laws that seem to them to cross their convenience, what can they expect when the lesson that convenience or a supposed class interest is a sufficient cause for lawlessness has been well learned by the ignorant classes? A community where law is the rule of conduct and where courts, not mobs, execute its penalties is the only attractive field for business investments and honest labor.

Our naturalization laws should be so amended as to make the inquiry into the character and good disposition of persons applying for citizenship more careful and searching. Our existing laws have been in their administration an unimpressive and often an unintelligible form. We accept the man as a citizen without any knowledge of his fitness, and he assumes the duties of citizenship without any knowledge as to what they

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

are. The privileges of American citizenship are so great and its duties so grave that we may well insist upon a good knowledge of every person applying for citizenship and a good knowledge by him of our institutions. We should not cease to be hospitable to immigration, but we should cease to be careless as to the character of it. There are men of all races, even the best, whose coming is necessarily a burden upon our public revenues or a threat to social order. These should be identified and excluded.

We have happily maintained a policy of avoiding all interference with European affairs. We have been only interested spectators of their contentions in diplomacy and in war, ready to use our friendly offices to promote peace, but never obtruding our advice and never attempting unfairly to coin the distresses of other powers into commercial advantage to ourselves. We have a just right to expect that our European policy will be the American policy of European courts.

It is so manifestly incompatible with those precautions for our peace and safety which all the great powers habitually observe and enforce in matters affecting them that a shorter waterway between our eastern and western seaboards should be dominated by any European Government that we may confidently expect that such a purpose will not be entertained by any friendly power.

We shall in the future, as in the past, use every endeavor to maintain and enlarge our friendly relations with all the great powers, but they will not expect us to look kindly upon any project that would leave us subject to the dangers of a hostile observation or environment. We have not sought to dominate or to absorb any of our weaker neighbors, but rather to aid and encourage them to establish free and stable governments resting upon the consent of their own people. We have a clear right to expect, therefore, that no European Government will seek to establish colonial dependencies upon the territory of these independent American States. That which a sense of justice restrains us from seeking they may be reasonably expected willingly to forego.

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

The duty devolved by law upon the President to nominate and, by and with the advice and consent of the Senate, to appoint all public officers whose appointment is not otherwise provided for in the Constitution or by act of Congress has become very burdensome and its wise and efficient discharge full of difficulty. The civil list is so large that a personal knowledge of any large number of the applicants is impossible. The President must rely upon the representations of others, and these are often made inconsiderately and without any just sense of responsibility. I have a right, I think, to insist that those who volunteer or are invited to give advice as to appointments shall exercise consideration and fidelity. A high sense of duty and an ambition to improve the service should characterize all public officers.

There are many ways in which the convenience and comfort of those who have business with our public offices may be promoted by a thoughtful and obliging officer, and I shall expect those whom I may appoint to justify their selection by a conspicuous efficiency in the discharge of their duties. Honorable party service will certainly not be esteemed by me a disqualification for public office, but it will in no case be allowed to serve as a shield of official negligence, incompetency, or delinquency. It is entirely creditable to seek public office by proper methods and with proper motives, and all applicants will be treated with consideration; but I shall need, and the heads of Departments will need, time for inquiry and deliberation. Persistent importunity will not, therefore, be the best support of an application for office. Heads of Departments, bureaus, and all other public officers having any duty connected therewith will be expected to enforce the civil-service law fully and without evasion. Beyond this obvious duty I hope to do something more to advance the reform of the civil service. The ideal, or even my own ideal, I shall probably not attain. Retrospect will be a safer basis of judgment than promises. We shall not, however, I am sure, be able to put our civil service upon a nonpartisan basis until we have secured an incumbency that fair-minded men of the opposition will approve for impartiality and integrity. As the number of such in the civil list is increased removals from office will diminish.

While a Treasury surplus is not the greatest evil, it is a serious evil. Our revenue should be ample to meet the ordinary annual demands upon our Treasury, with a sufficient margin for those extraordinary but

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

scarcely less imperative demands which arise now and then. Expenditure should always be made with economy and only upon public necessity. Wastefulness, profligacy, or favoritism in public expenditures is criminal. But there is nothing in the condition of our country or of our people to suggest that anything presently necessary to the public prosperity, security, or honor should be unduly postponed.

It will be the duty of Congress wisely to forecast and estimate these extraordinary demands, and, having added them to our ordinary expenditures, to so adjust our revenue laws that no considerable annual surplus will remain. We will fortunately be able to apply to the redemption of the public debt any small and unforeseen excess of revenue. This is better than to reduce our income below our necessary expenditures, with the resulting choice between another change of our revenue laws and an increase of the public debt. It is quite possible, I am sure, to effect the necessary reduction in our revenues without breaking down our protective tariff or seriously injuring any domestic industry.

The construction of a sufficient number of modern war ships and of their necessary armament should progress as rapidly as is consistent with care and perfection in plans and workmanship. The spirit, courage, and skill of our naval officers and seamen have many times in our history given to weak ships and inefficient guns a rating greatly beyond that of the naval list. That they will again do so upon occasion I do not doubt; but they ought not, by premeditation or neglect, to be left to the risks and exigencies of an unequal combat. We should encourage the establishment of American steamship lines. The exchanges of commerce demand stated, reliable, and rapid means of communication, and until these are provided the development of our trade with the States lying south of us is impossible.

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

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

It is very gratifying to observe the general interest now being manifested in the reform of our election laws. Those who have been for years calling attention to the pressing necessity of throwing about the ballot box and about the elector further safeguards, in order that our

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

elections might not only be free and pure, but might clearly appear to be so, will welcome the accession of any who did not so soon discover the need of reform. The National Congress has not as yet taken control of elections in that case over which the Constitution gives it jurisdiction, but has accepted and adopted the election laws of the several States, provided penalties for their violation and a method of supervision. Only the inefficiency of the State laws or an unfair partisan administration of them could suggest a departure from this policy.

It was clearly, however, in the contemplation of the framers of the Constitution that such an exigency might arise, and provision was wisely made for it. The freedom of the ballot is a condition of our national life, and no power vested in Congress or in the Executive to secure or perpetuate it should remain unused upon occasion. The people of all the Congressional districts have an equal interest that the election in each shall truly express the views and wishes of a majority of the qualified electors residing within it. The results of such elections are not local, and the insistence of electors residing in other districts that they shall be pure and free does not savor at all of impertinence.

If in any of the States the public security is thought to be threatened by ignorance among the electors, the obvious remedy is education. The sympathy and help of our people will not be withheld from any community struggling with special embarrassments or difficulties connected with the suffrage if the remedies proposed proceed upon lawful lines and are promoted by just and honorable methods. How shall those who practice election frauds recover that respect for the sanctity of the ballot which is the first condition and obligation of good citizenship? The man who has come to regard the ballot box as a juggler's hat has renounced his allegiance.

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

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

I do not mistrust the future. Dangers have been in frequent ambush

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

along our path, but we have uncovered and vanquished them all. Passion has swept some of our communities, but only to give us a new demonstration that the great body of our people are stable, patriotic, and law-abiding. No political party can long pursue advantage at the expense of public honor or by rude and indecent methods without protest and fatal disaffection in its own body. The peaceful agencies of commerce are more fully revealing the necessary unity of all our communities, and the increasing intercourse of our people is promoting mutual respect. We shall find unalloyed pleasure in the revelation which our next census will make of the swift development of the great resources of some of the States. Each State will bring its generous contribution to the great aggregate of the nation's increase. And when the harvests from the fields, the cattle from the hills, and the ores of the earth shall have been weighed, counted, and valued, we will turn from them all to crown with the highest honor the State that has most promoted education, virtue, justice, and patriotism among its people.

MARCH 4, 1889.

SPECIAL MESSAGE.

EXECUTIVE MANSION, *March 11, 1889.*

To the Senate of the United States:

I transmit herewith, in answer to the Senate resolution of the 11th ultimo, a report of the Secretary of State, with accompanying papers, in regard to the case of Louis Riel, otherwise known as Louis David Riel.*

BENJ. HARRISON.

PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The following provisions of the laws of the United States are hereby published for the information of all concerned:

Section 1956, Revised Statutes, chapter 3, Title XXIII, enacts that—

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory or in the waters thereof; and every person guilty thereof shall for each offense be fined not less than $200 nor more than $1,000, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, found engaged in violation of this section shall be forfeited; but the Secretary of the Treasury shall have power to authorize the killing of

*Tried and executed by the authorities of British North America for complicity in the rebellion in the Northwest Territory.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

any such mink, marten, sable, or other fur-bearing animal, except fur seals, under such regulations as he may prescribe; and it shall be the duty of the Secretary to prevent the killing of any fur seal and to provide for the execution of the provisions of this section until it is otherwise provided by law, nor shall he grant any special privileges under this section.

* * * * * * *

Section 3 of the act entitled "An act to provide for the protection of the salmon fisheries of Alaska," approved March 2, 1889, provides that—

SEC. 3. That section 1956 of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Bering Sea, and it shall be the duty of the President at a timely season in each year to issue his proclamation, and cause the same to be published for one month in at least one newspaper (if any such there be) published at each United States port of entry on the Pacific coast, warning all persons against entering such waters for the purpose of violating the provisions of said section, and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

Now, therefore, I, Benjamin Harrison, President of the United States, pursuant to the above-recited statutes, hereby warn all persons against entering the waters of Bering Sea within the dominion of the United States for the purpose of violating the provisions of said section 1956, Revised Statutes; and I hereby proclaim that all persons found to be or have been engaged in any violation of the laws of the United States in said waters will be arrested and punished as above provided, and that all vessels so employed, their tackle, apparel, furniture, and cargoes, will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 21st day of March, 1889, and of the Independence of the United States the one hundred and thirteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 8 of the act of Congress approved March 3, 1885, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1886, and for other purposes," certain articles of cession and agreement were made and concluded at the city of Washington on the 19th day of January, A. D. 1889, by and between the United States of America and the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Muscogee (or Creek) Nation of Indians, whereby the said Muscogee (or Creek) Nation of Indians, for the consideration therein mentioned, ceded and granted to the United States, without reservation or condition, full and complete title to the entire western half of the domain of the said Muscogee (or Creek) Nation in the Indian Territory, lying west of the division line surveyed and established under the treaty with said nation dated the 14th day of June, 1866, and also granted and released to the United States all and every claim, estate, right, or interest of any and every description in and to any and all land and territory whatever, except so much of the former domain of said Muscogee (or Creek) Nation as lies east of said line of division surveyed and established as aforesaid, and then used and occupied as the home of said nation, and which articles of cession and agreement were duly accepted, ratified, and confirmed by said Muscogee (or Creek) Nation of Indians by act of its council approved on the 31st day of January, 1889, and by the United States by act of Congress approved March 1, 1889; and

Whereas by section 12 of the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1890, and for other purposes," approved March 2, 1889, a sum of money was appropriated to pay in full the Seminole Nation of Indians for all the right, title, interest, and claim which said nation of Indians might have in and to certain lands ceded by article 3 of the treaty between the United States and said nation of Indians concluded June 14, 1866, and proclaimed August 16, 1866, said appropriation to become operative upon the execution by the duly appointed delegates of said nation specially empowered to do so of a release and conveyance to the United States of all right, title, interest, and claim of said nation of Indians in and to said lands in manner and form satisfactory to the President of the United States; and

Whereas said release and conveyance, bearing date the 16th day of March, 1889, has been duly and fully executed, approved, and delivered; and

Whereas section 13 of the act last aforesaid, relating to said lands, provides as follows:

SEC. 13. That the lands acquired by the United States under said agreement shall be a part of the public domain, to be disposed of only as herein provided; and sections 16 and 36 of each township, whether surveyed or unsurveyed, are hereby reserved for the use and benefit of the public schools to be established within the limits of said lands under such conditions and regulations as may be hereafter enacted by Congress.

That the lands acquired by conveyance from the Seminole Indians hereunder, except the sixteenth and thirty-sixth sections, shall be disposed of to actual settlers under the homestead laws only, except as herein otherwise provided (except that section 2301 of the Revised Statutes shall not apply): *And provided further*, That any person who, having attempted to but for any cause failed to secure a title in fee to a homestead under existing law, or who made entry under what is known as the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

commuted provision of the homestead law, shall be qualified to make a homestead entry upon said lands: *And provided further*, That the rights of honorably discharged Union soldiers and sailors in the late Civil War as defined and described in sections 2304 and 2305 of the Revised Statutes shall not be abridged: *And provided further*, That each entry shall be in square form as nearly as practicable, and no person be permitted to enter more than one quarter section thereof, but until said lands are opened for settlement by proclamation of the President no person shall be permitted to enter upon and occupy the same, and no person violating this provision shall ever be permitted to enter any of said lands or acquire any right thereto.

The Secretary of the Interior may, after said proclamation and not before, permit entry of said lands for town sites, under sections 2387 and 2388 of the Revised Statutes, but no such entry shall embrace more than one half section of land.

That all the foregoing provisions with reference to lands to be acquired from the Seminole Indians, including the provisions pertaining to forfeiture, shall apply to and regulate the disposal of the lands acquired from the Muscogee (or Creek) Indians by articles of cession and agreement made and concluded at the city of Washington on the 19th day of January, A. D. 1889.

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by said act of Congress approved March 2, 1889, aforesaid, do hereby declare and make known that so much of the lands as aforesaid acquired from or conveyed by the Muscogee (or Creek) Nation of Indians and from or by the Seminole Nation of Indians, respectively, as is contained within the following-described boundaries, viz:

Beginning at a point where the degree of longitude 98 west from Greenwich, as surveyed in the years 1858 and 1871, intersects the Canadian River; thence north along and with the said degree to a point where the same intersects the Cimarron River; thence up said river, along the right bank thereof, to a point where the same is intersected by the south line of what is known as the Cherokee lands lying west of the Arkansas River, or as the "Cherokee Outlet," said line being the north line of the lands ceded by the Muscogee (or Creek) Nation of Indians to the United States by the treaty of June 14, 1866; thence east along said line to a point where the same intersects the west line of the lands set apart as a reservation for the Pawnee Indians by act of Congress approved April 10, 1876, being the range line between ranges 4 and 5 east of the Indian meridian; thence south on said line to a point where the same intersects the middle of the main channel of the Cimarron River; thence up said river, along the middle of the main channel thereof, to a point where the same intersects the range line between range 1 east and range 1 west (being the Indian meridian), which line forms the western boundary of the reservations set apart, respectively, for the Iowa and Kickapoo Indians by Executive orders dated, respectively, August 15, 1883; thence south along said range line or meridian to a point where the same intersects the right bank of the North Fork of the Canadian River; thence up said river, along the right bank thereof, to a point where the same is intersected by the west line of the reservation occupied by the Citizen band of Pottawatomies and the Absentee Shawnee Indians, set apart

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

under the provisions of the treaty of February 27, 1867, between the United States and the Pottawatomie tribe of Indians, and referred to in the act of Congress approved May 23, 1872; thence south along the said west line of the aforesaid reservation to a point where the same intersects the middle of the main channel of the Canadian River; thence up the said river, along the middle of the main channel thereof, to a point opposite to the place of beginning, and thence north to the place of beginning (saving and excepting 1 acre of land in square form in the northwest corner of section 9, in township 16 north, range 2 west of the Indian meridian in Indian Territory, and also 1 acre of land in the southeast corner of the northwest quarter of section 15, township 16 north, range 7 west of the Indian meridian in the Indian Territory, which last-described 2 acres are hereby reserved for Government use and control), will, at and after the hour of 12 o'clock noon of the 22d day of April next, and not before, be open for settlement, under the terms of and subject to all the conditions, limitations, and restrictions contained in said act of Congress approved March 2, 1889, and the laws of the United States applicable thereto.

And it is hereby expressly declared and made known that no other parts or portions of the lands embraced within the Indian Territory than those herein specifically described and declared to be open to settlement at the time above named and fixed are to be considered as open to settlement under this proclamation or the act of March 2, 1889, aforesaid.

And warning is hereby again expressly given that no person entering upon and occupying said lands before said hour of 12 o'clock noon of the 22d day of April, A. D. 1889, hereinbefore fixed, will ever be permitted to enter any of said lands or acquire any rights thereto, and that the officers of the United States will be required to strictly enforce the provision of the act of Congress to the above effect.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 23d day of March, A. D. 1889, and of the Independence of the United States the one hundred and thirteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

A hundred years have passed since the Government which our forefathers founded was formally organized. At noon on the 30th day of April, 1789, in the city of New York, and in the presence of an assemblage of the heroic men whose patriotic devotion had led the colonies to

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

victory and independence, George Washington took the oath of office as Chief Magistrate of the new-born Republic. This impressive act was preceded at 9 o'clock in the morning in all the churches of the city by prayer for God's blessing on the Government and its first President.

The centennial of this illustrious event in our history has been declared a general holiday by act of Congress, to the end that the people of the whole country may join in commemorative exercises appropriate to the day.

In order that the joy of the occasion may be associated with a deep thankfulness in the minds of the people for all our blessings in the past and a devout supplication to God for their gracious continuance in the future, the representatives of the religious creeds, both Christian and Hebrew, have memorialized the Government to designate an hour for prayer and thanksgiving on that day.

Now, therefore, I, Benjamin Harrison, President of the United States of America, in response to this pious and reasonable request, do recommend that on Tuesday, April 30, at the hour of 9 o'clock in the morning, the people of the entire country repair to their respective places of divine worship to implore the favor of God that the blessings of liberty, prosperity, and peace may abide with us as a people, and that His hand may lead us in the paths of righteousness and good deeds.

In witness whereof I have hereunto set my hand and caused the seal of the United States of America to be affixed.

[SEAL.] Done in the city of Washington, this 4th day of April, A. D. 1889, and of the Independence of the United States the one hundred and thirteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

A highly favored people, mindful of their dependence on the bounty of Divine Providence, should seek fitting occasion to testify gratitude and ascribe praise to Him who is the author of their many blessings. It behooves us, then, to look back with thankful hearts over the past year and bless God for His infinite mercy in vouchsafing to our land enduring peace, to our people freedom from pestilence and famine, to our husbandmen abundant harvests, and to them that labor a recompense of their toil.

Now, therefore, I, Benjamin Harrison, President of the United States of America, do earnestly recommend that Thursday, the 28th day of this present month of November, be set apart as a day of national thanksgiving and prayer, and that the people of our country, ceasing from the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

cares and labors of their working day, shall assemble in their respective places of worship and give thanks to God, who has prospered us on our way and made our paths the paths of peace, beseeching Him to bless the day to our present and future good, making it truly one of thanksgiving for each reunited home circle as for the nation at large.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of November, A. D. 1889, and of the Independence of the United States the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the Congress of the United States did by an act approved on the 22d day of February, 1889, provide that the inhabitants of the Territory of Dakota might upon the conditions prescribed in said act become the States of North Dakota and South Dakota; and

Whereas it was provided by said act that the area comprising the Territory of Dakota should for the purposes of the act be divided on the line of the seventh standard parallel produced due west to the western boundary of said Territory, and that the delegates elected as therein provided to the constitutional convention in districts north of said parallel should assemble in convention at the time prescribed in the act at the city of Bismarck; and

Whereas it was provided by the said act that the delegates elected as aforesaid should, after they had met and organized, declare on behalf of the people of North Dakota that they adopt the Constitution of the United States, whereupon the said convention should be authorized to form a constitution and State government for the proposed State of North Dakota; and

Whereas it was provided by said act that the constitution so adopted should be republican in form and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence, and that the convention should, by an ordinance irrevocable without the consent of the United States and the people of said States, make certain provisions prescribed in said act; and

Whereas it was provided by said act that the constitutions of North Dakota and South Dakota should, respectively, incorporate an agreement, to be reached in accordance with the provision of the act, for an

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

equitable division of all property belonging to the Territory of Dakota, the disposition of all public records, and also for the apportionment of the debts and liabilities of said Territory, and that each of said States should obligate itself to pay its proportion of such debts and liabilities the same as if they had been created by such States, respectively; and

Whereas it was provided by said act that the constitution thus formed for the people of North Dakota should, by an ordinance of the convention forming the same, be submitted to the people of North Dakota at an election to be held therein on the first Tuesday in October, 1889, for ratification or rejection by the qualified voters of said proposed State, and that the returns of said election should be made to the secretary of the Territory of Dakota, who, with the governor and chief justice thereof, or any two of them, should canvass the same, and if a majority of the legal votes cast should be for the constitution the governor should certify the result to the President of the United States, together with a statement of the votes cast thereon and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances; and

Whereas it has been certified to me by the governor of the Territory of Dakota that within the time prescribed by said act of Congress a constitution for the proposed State of North Dakota has been adopted and the same ratified by a majority of the qualified voters of said proposed State in accordance with the conditions prescribed in said act; and

Whereas it is also certified to me by the said governor that at the same time that the body of said constitution was submitted to a vote of the people a separate article, numbered 20 and entitled "Prohibition," was also submitted and received a majority of all the votes cast for and against said article, as well as a majority of all the votes cast for and against the constitution, and was adopted; and

Whereas a duly authenticated copy of said constitution, article, ordinances, and propositions, as required by said act, has been received by me:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the provisions of the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the State of North Dakota to entitle that State to admission to the Union have been ratified and accepted and that the admission of the said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 2d day of November, A. D. 1889, and of the Independence of the United States of America the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,

Secretary of State.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the Congress of the United States did by an act approved on the 22d day of February, 1889, provide that the inhabitants of the Territory of Dakota might upon the conditions prescribed in the said act become the States of North Dakota and South Dakota; and

Whereas it was provided by said act that the area comprising the Territory of Dakota should for the purposes of the act be divided on the line of the seventh standard parallel produced due west to the western boundary of said Territory, and that the delegates elected as therein provided to the constitutional convention in districts south of said parallel should at the time prescribed in the act assemble in convention at the city of Sioux Falls; and

Whereas it was provided by the said act that the delegates elected as aforesaid should, after they had met and organized, declare on behalf of the people of South Dakota that they adopt the Constitution of the United States, whereupon the said convention should be authorized to form a constitution and State government for the proposed State of South Dakota; and

Whereas it was provided by said act that the constitution so adopted should be republican in form and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence, and that the convention should, by an ordinance irrevocable without the consent of the United States and the people of said States, make certain provisions prescribed in said act; and

Whereas it was provided by said act that the constitutions of North Dakota and South Dakota should, respectively, incorporate an agreement, to be reached in accordance with the provisions of the act, for an equitable division of all property belonging to the Territory of Dakota, the disposition of all public records, and also for the apportionment of the debts and liabilities of said Territory, and that each of said States should obligate itself to pay its proportion of such debts and liabilities the same as if they had been created by such States respectively; and

Whereas it was provided by said act that at the election for delegates to the constitutional convention in South Dakota, as therein provided, each elector might have written or printed on his ballot the words "For the Sioux Falls constitution" or the words "Against the Sioux Falls constitution;" that the votes on this question should be returned and canvassed in the same manner as the votes for the election of delegates, and if a majority of all votes cast on this question should be "For the Sioux Falls constitution" it should be the duty of the convention which

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

might assemble at Sioux Falls, as provided in the act, to resubmit to the people of South Dakota, for ratification or rejection, at an election provided for in said act, the constitution framed at Sioux Falls and adopted November 3, 1885, and also the articles and propositions separately submitted at that election, including the question of locating the temporary seat of government, with such changes only as related to the name and boundary of the proposed State, to the reapportionment of the judicial and legislative districts, and such amendments as might be necessary in order to comply with the provisions of the act; and

Whereas it was provided by said act that the constitution formed for the people of South Dakota should, by an ordinance of the convention forming the same, be submitted to the people of South Dakota at an election to be held therein on the first Tuesday in October, 1889, for ratification or rejection by the qualified voters of said proposed State, and that the returns of said election should be made to the secretary of the Territory of Dakota, who, with the governor and chief justice thereof, or any two of them, should canvass the same, and if a majority of the legal votes cast should be for the constitution the governor should certify the result to the President of the United States, together with a statement of the votes cast thereon and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances; and

Whereas it has been certified to me by the governor of the Territory of Dakota that at the aforesaid election for delegates the "Sioux Falls constitution" was submitted to the people of the proposed State of South Dakota, as provided in the said act; that a majority of all the votes cast on this question was "For the Sioux Falls constitution," and that the said constitution was at the time prescribed in the act resubmitted to the people of South Dakota, with proper changes and amendments, and has been adopted and ratified by a majority of the qualified voters of said proposed State in accordance with the conditions prescribed in said act; and

Whereas it is also certified to me by the said governor that at the same time that the body of said constitution was submitted to a vote of the people two additional articles were submitted separately, to wit, an article numbered 24, entitled "Prohibition," which received a majority of all the votes cast for and against said article, as well as a majority of all the votes cast for and against the constitution, and was adopted; and an article numbered 25, entitled "Minority representation," which did not receive a majority of the votes cast thereon or upon the constitution, and was rejected; and

Whereas a duly authenticated copy of said constitution, additional articles, ordinances, and propositions, as required by said act, has been received by me:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

State of South Dakota to entitle that State to admission to the Union have been ratified and accepted and that the admission of the said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 2d day of November, A. D. 1889, and of the Independence of the United States of America the one hundred and fourteenth.

BENJ. HARRISON.

By the President:
JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the Congress of the United States did by an act approved on the 22d day of February, 1889, provide that the inhabitants of the Territory of Montana might upon the conditions prescribed in said act become the State of Montana; and

Whereas it was provided by said act that delegates elected as therein provided to a constitutional convention in the Territory of Montana should meet at the seat of government of said Territory, and that after they had met and organized they should declare on behalf of the people of Montana that they adopt the Constitution of the United States, whereupon the said convention should be authorized to form a State government for the proposed State of Montana; and

Whereas it was provided by said act that the constitution so adopted should be republican in form and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence, and that the convention should, by an ordinance irrevocable without the consent of the United States and the people of said State, make certain provisions prescribed in said act; and

Whereas it was provided by said act that the constitution thus formed for the people of Montana should, by an ordinance of the convention forming the same, be submitted to the people of Montana at an election to be held therein on the 1st Tuesday in October, 1889, for ratification or rejection by the qualified voters of said proposed State, and that the returns of said election should be made to the secretary of said Territory, who, with the governor and chief justice thereof, or any two of them, should canvass the same, and if a majority of the legal votes cast should be for the constitution the governor should certify the result to the President of the United States, together with a statement of the votes cast

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

thereon and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances; and

Whereas it has been certified to me by the governor of said Territory that within the time prescribed by said act of Congress a constitution for the proposed State of Montana has been adopted, and that the same, together with two ordinances connected therewith, has been ratified by a majority of the qualified voters of said proposed State in accordance with the conditions prescribed in said act; and

Whereas a duly authenticated copy of said constitution and ordinances, as required by said act, has been received by me:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the provisions of the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the State of Montana to entitle that State to admission to the Union have been ratified and accepted and that the admission of the said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 8th day of November, A. D. 1889, and of the Independence of the United States of America the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the Congress of the United States did by an act approved on the 22d day of February, 1889, provide that the inhabitants of the Territory of Washington might upon the conditions prescribed in said act become the State of Washington; and

Whereas it was provided by said act that delegates elected as therein provided to a constitutional convention in the Territory of Washington should meet at the seat of government of said Territory, and that after they had met and organized they should declare on behalf of the people of Washington that they adopt the Constitution of the United States, whereupon the said convention should be authorized to form a State government for the proposed State of Washington; and

Whereas it was provided by said act that the constitution so adopted should be republican in form and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence, and that the convention should,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

by an ordinance irrevocable without the consent of the United States and the people of said State, make certain provisions prescribed in said act; and

Whereas it was provided by said act that the constitution thus formed for the people of Washington should, by an ordinance of the convention forming the same, be submitted to the people of Washington at an election to be held therein on the first Tuesday in October, 1889, for ratification or rejection by the qualified voters of said proposed State, and that the returns of said election should be made to the secretary of said Territory, who, with the governor and chief justice thereof, or any two of them, should canvass the same, and if a majority of the legal votes cast should be for the constitution the governor should certify the result to the President of the United States, together with a statement of the votes cast thereon and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances; and

Whereas it has been certified to me by the governor of said Territory that within the time prescribed by said act of Congress a constitution for the proposed State of Washington has been adopted, and that the same has been ratified by a majority of the qualified voters of said proposed State in accordance with the conditions prescribed in said act; and

Whereas it is also certified to me by the said governor that at the same time the body of said constitution was submitted to a vote of the people two separate articles, entitled "Woman suffrage" and "Prohibition," were likewise submitted, which said separate articles did not receive a majority of the votes cast thereon or upon the constitution, and were rejected; also that at the same election the question of the location of a permanent seat of government was so submitted, and that no place received a majority of all the votes cast upon said question; and

Whereas a duly authenticated copy of said constitution and articles, as required by said act, has been received by me:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the provisions of the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the State of Washington to entitle that State to admission to the Union have been ratified and accepted and that the admission of the said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 11th day of November, A. D. 1889, and of the Independence of the United States of America the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE ORDERS.

EXECUTIVE MANSION,
Washington March 11, 1889.

Whereas civil-service rules for the railway mail service were approved January 4, 1889, to go into effect March 15, 1889; and

Whereas it is represented to me by the Civil Service Commission in a communication of this date that it will be impossible to complete arrangements for putting said rules into full effect on said date, or sooner than May 1, 1889:

It is therefore ordered, That said railway mail rules shall take effect May 1, 1889, instead of March 15, 1889: *Provided*, That such rules shall become operative and take effect in any State or Territory as soon as an eligible register for such State or Territory shall be prepared, if it shall be prior to the date above fixed.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *April 17, 1889.*

Special Departmental Rule No. 1 is hereby amended by including among the places excepted from examination thereunder in section 2 the following: "and inspector of furniture."

As amended so much of that section as relates to the office of Secretary of the Treasury will read as follows:

2. In the Department of the Treasury, in the office of the Secretary: Government actuary and inspector of furniture.

BENJ. HARRISON.

REGULATIONS FOR THE DISTRIBUTION OF ARMS, ORDNANCE STORES, QUARTERMASTER'S STORES, AND CAMP EQUIPAGE TO THE TERRITORIES AND THE DISTRICT OF COLUMBIA, PRESCRIBED BY THE PRESIDENT OF THE UNITED STATES IN CONFORMITY WITH THE SECOND SECTION OF THE ACT ENTITLED "AN ACT TO AMEND SECTION 1661, REVISED STATUTES, MAKING AN ANNUAL APPROPRIATION TO PROVIDE ARMS AND EQUIPMENTS FOR THE MILITIA."

EXECUTIVE MANSION, *April 23, 1889*

1. Arms, ordnance stores, quartermaster's stores, and camp equipage shall be issued to the Territories on requisitions of the governors thereof, and to the District of Columbia on requisitions approved by the senior general of the District militia present for duty. Returns shall be made annually by the senior general of the District militia in the manner as required

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

by sections 3 and 4 of the act above referred to in the case of States and Territories.

2. It is forbidden to make issues to States and Territories in excess of the amount to their credit under the provisions of section 1661, Revised Statutes, as amended by the above act.

3. Any regulations established hitherto which in any way conflict with these are hereby revoked.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

MAY 4, 1889.

Special Departmental Rule No. 1 is hereby amended by including among the places excepted from examination thereunder in section 2 the following: "custodian of dies, rolls, and plates at the Bureau of Engraving and Printing, two subcustodians, keeper of the vault, and distributer of stock."

As amended so much of that section as relates to the office of the Secretary of the Treasury will read:

2. In the Department of the Treasury, in the office of the Secretary: Government actuary, inspector of furniture, custodian of dies, rolls, and plates at the Bureau of Engraving and Printing, two subcustodians, keeper of the vault, and distributer of stock.

BENJ. HARRISON.

AMENDMENTS OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *May 27, 1889.*

Departmental Rule VIII is hereby amended as follows:

At the end of section 1 insert an additional clause, as follows:

(*d*) From the office of the President of the United States, after two years' continuous service therein immediately preceding the transfer, to any place in the classified service without examination, upon the requisition of the head of the Department to which the transfer is to be made and the certification of the Commission.

In section 2, line 1, after the word "authorized," insert the following: "except as provided in section 1, clause (*d*)."

BENJ. HARRISON.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

EXECUTIVE MANSION, *May 29, 1889.*

It is hereby ordered, That the several Executive Departments and the Government Printing Office be closed on Thursday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers who fell during the rebellion.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *June 7, 1889.*

In November, 1862, President Lincoln quoted the words of Washington to sustain his own views, and announced in a general order that—

The President, Commander in Chief of the Army and Navy, desires and enjoins the orderly observance of the Sabbath by the officers and men in the military and naval service. The importance for man and beast of the prescribed weekly rest, the sacred rights of Christian soldiers and sailors, a becoming deference to the best sentiment of a Christian people, and a due regard for the divine will demand that Sunday labor in the Army and Navy be reduced to the measure of strict necessity.

The truth so concisely stated can not be too faithfully regarded, and the pressure to ignore it is far less now than in the midst of war. To recall the kindly and considerate spirit of the orders issued by these great men in the most trying times of our history, and to promote contentment and efficiency, the President directs that Sunday-morning inspection will be merely of the dress and general appearance, without arms; and the more complete inspection under arms, with all men present, as required in paragraph 950, Army Regulations, 1889, will take place on Saturday.

BENJ. HARRISON.

By the President:

REDFIELD PROCTOR,
Secretary of War.

AMENDMENTS OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *June 10, 1889.*

Special Departmental Rule No. 1 is hereby amended as follows:

In section 2, at the end of paragraph 1, insert the following: "foremen of laborers, skilled laborers, elevator conductors, foreman of cabinet shop, and cabinetmakers."

So that as amended so much of section 2 as relates to the office of the Secretary of the Treasury will read:

In the office of the Secretary: Government actuary, inspector of furniture, custodian of dies, rolls, and plates at the Bureau of Engraving and Printing, two subcustodians, keeper of the vault, and distributer of stock, foremen of laborers, skilled laborers, elevator conductors, foreman of cabinet shop, and cabinetmakers.

In section 3 strike out the last paragraph and insert in lieu thereof the following:

In the Geological Survey: General assistant, executive officer, chief photographer, editor, all scientific employees of the Geological Survey officially designated as follows: Chief geologist, geologist, assistant geologist, chief paleontologist, paleontologist, and assistant paleontologist, chief chemist, chemist, assistant chemist, chief physicist, physicist, assistant physicist, chief geographer, geographer, assistant geographer, chief topographer, topographer, assistant topographer, chief hydrographer, hydrographer, assistant hydrographer, supervising engineer, engineer, assistant engineer, paleontological draftsman, chief mechanician, mechanician, assistant mechanician.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *June 18, 1889.*

Departmental Rule X, Customs Rule VII, Postal Rule VII, and Railway Mail Rule VI are hereby amended by adding to each of said rules, at the end thereof, the following:

Provided, That certification may be made, subject to the other conditions of this rule, for the reinstatement of any person who served in the military or naval service of the United States in the late War of the Rebellion, and was honorably discharged therefrom, without regard to the length of time he has been separated from the service.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

JULY 26, 1889.

Clause (*h*) of section 2 of General Rule III is hereby amended by adding to that clause, at the end thereof, the following: "or for temporary appointment for not exceeding thirty days in any part of the classified service."

Approved:

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

JULY 26, 1889.

Section 5 of Railway Mail Rule II is hereby amended by adding an additional clause, as follows:

(*c*) Printers, employed as such.

Approved:

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *August 17, 1889.*

Clause 5 of Railway Mail Rule II is hereby amended by adding thereto the following clauses:

(*d*) Clerks employed exclusively as porters in handling mail matter in bulk, in sacks, or pouches, and not otherwise.

(*e*) Clerks employed exclusively on steamboats.

Approved:

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

AUGUST 20, 1889.

Clause 2 of Special Departmental Rule No. 1 is hereby amended by including among the places excepted from examination in the office of the Supervising Architect the following: "engineers and draftsmen of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

classes 1, 2, 3, 4, and 5, not exceeding ten in all: *Provided*, That these ten places shall cease to be excepted places from and after June 30, 1890."

As thus amended so much of clause 2 as relates to the office of the Supervising Architect will read as follows:

In the office of the Supervising Architect: Supervising Architect, assistant and chief clerk, confidential clerk to Supervising Architect, photographer, engineers and draftsmen of classes 1, 2, 3, 4, and 5, not exceeding ten in all: *Provided*, That these ten places shall cease to be excepted places from and after June 30, 1890.

Approved:

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

OCTOBER 29, 1889.

Section 2 of Special Departmental Rule No. 1 is hereby amended by adding to the places excepted from examination in the Bureau of Engraving and Printing the following: "plate cleaners, transferrers, hardeners, provers, pressmen, machinists, plumbers, carpenters, and blacksmiths."

Approved:

BENJ. HARRISON.

AMENDMENTS OF CIVIL-SERVICE RULES.

Section 2 of Railway Mail Rule IV is hereby amended by substituting for clause (*b*) of said section the following:

(*b*) The Commission shall certify from the register of the State or Territory in which the vacancy exists the names of the three eligibles thereon having the highest averages, resident in the counties of said State or Territory through or on the borders of which the section of the road passes on which the person to be appointed is to serve, who have not been three times certified: *Provided*, That if there are not three eligibles resident in said counties, then certification shall be made in like manner from the counties of said State or Territory nearest to the line of said road in which there are three eligibles; or if there are not three eligibles upon the register of said State or Territory, then certification may be made from the register of any adjoining State or Territory: *Provided further*, That if upon the register of the State or Territory in which vacancy exists there are the names of eligibles having a claim of preference under section 1754, Revised Statutes, the names of such eligibles shall be certified before the names of other eligibles of higher grade.

At the end of the rule add an additional section, as follows:

7. In case of public and pressing exigency demanding the immediate employment of experienced railway mail clerks who can not be at once supplied in the manner provided for in section 2 of this rule, or by transfer under Rule V, or reappointment under Rule VI, there may be employed, without examination or certification, under such regulations as the Postmaster-General may prescribe, for a period not to exceed thirty days, which, with the consent of the Commission, may be extended to sixty days, any persons who have been in the railway mail service, who have the requisite knowledge and experience, who may be available. Every such employment and the reasons therefor shall be at once reported to the Commission.

Approved, November 1, 1889.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

AMENDMENT OF CIVIL-SERVICE RULES.

Special Customs Rule No. 1 is hereby amended by adding to the places excepted from examination at the port of New York the following:

Office of the General Appraiser: Chief clerk and law clerk.

Approved, November 18, 1889. BENJ. HARRISON.

FIRST ANNUAL MESSAGE.

EXECUTIVE MANSION,
Washington, December 3, 1889.

To the Senate and House of Representatives:

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

The recommendations of this international conference of enlightened statesmen will doubtless have the considerate attention of Congress and its cooperation in the removal of unnecessary barriers to beneficial intercourse between the nations of America. But while the commercial results which it is hoped will follow this conference are worthy of pursuit and of the great interests they have excited, it is believed that the crowning benefit will be found in the better securities which may be devised for the maintenance of peace among all American nations and the settlement of all contentions by methods that a Christian civilization can approve. While viewing with interest our national resources and products, the delegates will, I am sure, find a higher satisfaction in the evidences of unselfish friendship which everywhere attend their intercourse with our people.

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

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

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

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

I also recommend that timely provision be made for extending to

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Hawaii an invitation to be represented in the international conference now sitting at this capital.

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

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

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

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

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

On the part of the government of the Dominion of Canada an effort has been apparent during the season just ended to administer the laws and regulations applicable to the fisheries with as little occasion for friction as was possible, and the temperate representations of this Government in respect of cases of undue hardship or of harsh interpretations have been in most cases met with measures of transitory relief. It is trusted that the attainment of our just rights under existing treaties and in virtue

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

of the concurrent legislation of the two contiguous countries will not be long deferred and that all existing causes of difference may be equitably adjusted.

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

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

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

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

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

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

In pursuance of the charter granted by Congress and under the terms of its contract with the Government of Nicaragua the Interoceanic Canal Company has begun the construction of the important waterway between the two oceans which its organization contemplates. Grave complications for a time seemed imminent, in view of a supposed conflict of jurisdiction between Nicaragua and Costa Rica in regard to the accessory privileges to be conceded by the latter Republic toward the construction of works on the San Juan River, of which the right bank is Costa Rican territory. I am happy to learn that a friendly arrangement has been

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

effected between the two nations. This Government has held itself ready to promote in every proper way the adjustment of all questions that might present obstacles to the completion of a work of such transcendent importance to the commerce of this country, and, indeed, to the commercial interests of the world.

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

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

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

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

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

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

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

The existence of so large an actual and anticipated surplus should have the immediate attention of Congress, with a view to reducing the receipts of the Treasury to the needs of the Government as closely as may be. The collection of moneys not needed for public uses imposes an unnecessary burden upon our people, and the presence of so large a surplus in the public vaults is a disturbing element in the conduct of private business. It has called into use expedients for putting it into circulation of very questionable propriety. We should not collect revenue for the purpose of anticipating our bonds beyond the requirements of the sinking fund, but any unappropriated surplus in the Treasury should be so used, as there is no other lawful way of returning the money to circulation, and the profit realized by the Government offers a substantial advantage.

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

I recommend a revision of our tariff law both in its administrative features and in the schedules. The need of the former is generally conceded, and an agreement upon the evils and inconveniences to be remedied and the best methods for their correction will probably not be difficult. Uniformity of valuation at all our ports is essential, and effective

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

measures should be taken to secure it. It is equally desirable that questions affecting rates and classifications should be promptly decided.

The preparation of a new schedule of customs duties is a matter of great delicacy because of its direct effect upon the business of the country, and of great difficulty by reason of the wide divergence of opinion as to the objects that may properly be promoted by such legislation. Some disturbance of business may perhaps result from the consideration of this subject by Congress, but this temporary ill effect will be reduced to the minimum by prompt action and by the assurance which the country already enjoys that any necessary changes will be so made as not to impair the just and reasonable protection of our home industries. The inequalities of the law should be adjusted, but the protective principle should be maintained and fairly applied to the products of our farms as well as of our shops. These duties necessarily have relation to other things besides the public revenues. We can not limit their effects by fixing our eyes on the public Treasury alone. They have a direct relation to home production, to work, to wages, and to the commercial independence of our country, and the wise and patriotic legislator should enlarge the field of his vision to include all of these. The necessary reduction in our public revenues can, I am sure, be made without making the smaller burden more onerous than the larger by reason of the disabilities and limitations which the process of reduction puts upon both capital and labor. The free list can very safely be extended by placing thereon articles that do not offer injurious competition to such domestic products as our home labor can supply. The removal of the internal tax upon tobacco would relieve an important agricultural product from a burden which was imposed only because our revenue from customs duties was insufficient for the public needs. If safe provision against fraud can be devised, the removal of the tax upon spirits used in the arts and in manufactures would also offer an unobjectionable method of reducing the surplus.

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

The total amount of money of all kinds in circulation on March 1,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

The total coinage of silver dollars was on November 1, 1889, $343,638,001, of which $283,539,521 were in the Treasury vaults and $60,098,480 were in circulation. Of the amount in the vaults $277,319,944 were represented by outstanding silver certificates, leaving $6,219,577 not in circulation and not represented by certificates.

The law requiring the purchase by the Treasury of $2,000,000 worth of silver bullion each month, to be coined into silver dollars of 412½ grains, has been observed by the Department, but neither the present Secretary nor any of his predecessors has deemed it safe to exercise the discretion given by law to increase the monthly purchases to $4,000,000. When the law was enacted (February 28, 1878) the price of silver in the market was $1.204 per ounce, making the bullion value of the dollar 93 cents. Since that time the price has fallen as low as 91.2 cents per ounce, reducing the bullion value of the dollar to 70.6 cents. Within the last few months the market price has somewhat advanced, and on the 1st day of November last the bullion value of the silver dollar was 72 cents.

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

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

I have always been an advocate of the use of silver in our currency.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

We are large producers of that metal, and should not discredit it. To the plan which will be presented by the Secretary of the Treasury for the issuance of notes or certificates upon the deposit of silver bullion at its market value I have been able to give only a hasty examination, owing to the press of other matters and to the fact that it has been so recently formulated. The details of such a law require careful consideration, but the general plan suggested by him seems to satisfy the purpose—to continue the use of silver in connection with our currency and at the same time to obviate the danger of which I have spoken. At a later day I may communicate further with Congress upon this subject.

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

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

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

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

I approve the suggestion of the Secretary of War that provision be made for encamping companies of the National Guard in our coast works

*See pp. 14–15.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

for a specified time each year and for their training in the use of heavy guns. His suggestion that an increase of the artillery force of the Army is desirable is also, in this connection, commended to the consideration of Congress.

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

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

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

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

The necessity of providing some more speedy method for disposing of the cases which now come for final adjudication to the Supreme Court becomes every year more apparent and urgent. The plan of providing

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

some intermediate courts having final appellate jurisdiction of certain classes of questions and cases has, I think, received a more general approval from the bench and bar of the country than any other. Without attempting to discuss details, I recommend that provision be made for the establishment of such courts.

The salaries of the judges of the district courts in many of the districts are, in my judgment, inadequate. I recommend that all such salaries now below $5,000 per annum be increased to that amount. It is quite true that the amount of labor performed by these judges is very unequal, but as they can not properly engage in other pursuits to supplement their incomes the salary should be such in all cases as to provide an independent and comfortable support.

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

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

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

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

The report of the Postmaster-General not only exhibits the operations of the Department for the last fiscal year, but contains many valuable suggestions for the improvement and extension of the service, which are commended to your attention. No other branch of the Government has so close a contact with the daily life of the people. Almost everyone uses the service it offers, and every hour gained in the transmission of the great commercial mails has an actual and possible value that only those engaged in trade can understand.

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

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

The report of the Secretary shows that while the effective force of the Navy is rapidly increasing by reason of the improved build and armament of the new ships, the number of our ships fit for sea duty grows very slowly. We had on the 4th of March last 37 serviceable ships, and though 4 have since been added to the list, the total has not been increased, because in the meantime 4 have been lost or condemned. Twenty-six additional vessels have been authorized and appropriated for; but it is probable that when they are completed our list will only be increased to 42—a gain of 5. The old wooden ships are disappearing almost as fast as the new vessels are added. These facts carry their own argument. One of the new ships may in fighting strength be equal to two of the old, but it can not do the cruising duty of two. It is important, therefore, that we should have a more rapid increase in the number of serviceable ships. I concur in the recommendation of the Secretary that the construction of 8 armored ships, 3 gunboats, and 5 torpedo boats be authorized.

An appalling calamity befell three of our naval vessels on duty at the Samoan Islands, in the harbor of Apia, in March last, involving the loss of 4 officers and 47 seamen, of two vessels, the *Trenton* and the *Vandalia*, and the disabling of a third, the *Nipsic*. Three vessels of the German navy, also in the harbor, shared with our ships the force of the hurricane and suffered even more heavily. While mourning the brave officers and men who died facing with high resolve perils greater than those of battle,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

it is most gratifying to state that the credit of the American Navy for seamanship, courage, and generosity was magnificently sustained in the storm-beaten harbor of Apia.

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

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

School attendance should be promoted by every moral agency, and those failing should be compelled. The national schools for Indians have been very successful and should be multiplied, and as far as possible should be so organized and conducted as to facilitate the transfer of the schools to the States or Territories in which they are located when the Indians in a neighborhood have accepted citizenship and have become otherwise fitted for such a transfer. This condition of things will be attained slowly, but it will be hastened by keeping it in mind; and in the meantime that cooperation between the Government and the mission schools which has wrought much good should be cordially and impartially maintained.

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

On the 16th day of April last I appointed Hon. Charles Foster, of Ohio, Hon. William Warner, of Missouri, and Major-General George Crook, of the United States Army, commissioners under the last-named law. They were, however, authorized and directed first to submit to

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the Indians the definite proposition made to them by the act first mentioned, and only in the event of a failure to secure the assent of the requisite number to that proposition to open negotiations for modified terms under the other act. The work of the commission was prolonged and arduous, but the assent of the requisite number was, it is understood, finally obtained to the proposition made by Congress, though the report of the commission has not yet been submitted. In view of these facts, I shall not, as at present advised, deem it necessary to submit the agreement to Congress for ratification, but it will in due course be submitted for information. This agreement releases to the United States about 9,000,000 acres of land.

The commission provided for by section 14 of the Indian appropriation bill to negotiate with the Cherokee Indians and all other Indians owning or claiming lands lying west of the ninety-sixth degree of longitude for the cession to the United States of all such lands was constituted by the appointment of Hon. Lucius Fairchild, of Wisconsin, Hon. John F. Hartranft, of Pennsylvania, and Hon. Alfred M. Wilson, of Arkansas, and organized on June 29 last. Their first conference with the representatives of the Cherokees was held at Tahlequah July 29, with no definite results. General John F. Hartranft, of Pennsylvania, was prevented by ill health from taking part in the conference. His death, which occurred recently, is justly and generally lamented by a people he had served with conspicuous gallantry in war and with great fidelity in peace. The vacancy thus created was filled by the appointment of Hon. Warren G. Sayre, of Indiana.

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

Under the agreement made between the United States and the Muscogee (or Creek) Nation of Indians on the 19th day of January, 1889, an absolute title was secured by the United States to about 3,500,000 acres

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

of land. Section 12 of the general Indian appropriation act approved March 2, 1889, made provision for the purchase by the United States from the Seminole tribe of a certain portion of their lands. The delegates of the Seminole Nation, having first duly evidenced to me their power to act in that behalf, delivered a proper release or conveyance to the United States of all the lands mentioned in the act, which was accepted by me and certified to be in compliance with the statute.

By the terms of both the acts referred to all the lands so purchased were declared to be a part of the public domain and open to settlement under the homestead law. But of the lands embraced in these purchases, being in the aggregate about 5,500,000 acres, 3,500,000 acres had already, under the terms of the treaty of 1866, been acquired by the United States for the purpose of settling other Indian tribes thereon and had been appropriated to that purpose. The land remaining and available for settlement consisted of 1,887,796 acres, surrounded on all sides by lands in the occupancy of Indian tribes. Congress had provided no civil government for the people who were to be invited by my proclamation to settle upon these lands, except as the new court which had been established at Muscogee or the United States courts in some of the adjoining States had power to enforce the general laws of the United States.

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

It is much to the credit of the settlers that they very generally observed the limitation as to the time when they might enter the Territory. Care will be taken that those who entered in violation of the law do not secure the advantage they unfairly sought. There was a good deal of apprehension that the strife for locations would result in much violence and bloodshed, but happily these anticipations were not realized. It is estimated that there are now in the Territory about 60,000 people, and several considerable towns have sprung up, for which temporary municipal governments have been organized. Guthrie is said to have now a population of almost 8,000. Eleven schools and nine churches have been established, and three daily and five weekly newspapers are published in this city, whose charter and ordinances have only the sanction of the voluntary acquiescence of the people from day to day.

* See pp. 15-18.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Oklahoma City has a population of about 5,000, and is proportionately as well provided as Guthrie with churches, schools, and newspapers. Other towns and villages having populations of from 100 to 1,000 are scattered over the Territory.

In order to secure the peace of this new community in the absence of civil government, I directed General Merritt, commanding the Department of the Missouri, to act in conjunction with the marshals of the United States to preserve the peace, and upon their requisition to use the troops to aid them in executing warrants and in quieting any riots or breaches of the peace that might occur. He was further directed to use his influence to promote good order and to avoid any conflicts between or with the settlers. Believing that the introduction and sale of liquors where no legal restraints or regulations existed would endanger the public peace, and in view of the fact that such liquors must first be introduced into the Indian reservations before reaching the white settlements, I further directed the general commanding to enforce the laws relating to the introduction of ardent spirits into the Indian country.

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

Attention is called in this connection to the suggestions of the Secretary of the Treasury relating to the establishment of another port of entry in Alaska and of other needed customs facilities and regulations.

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

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

The certification of the votes cast and of the constitutions adopted in each of the States was filed with me, as required by the eighth section of the act of February 22, 1889, by the governors of said Territories,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

The creation of an Executive Department to be known as the Department of Agriculture by the act of February 9 last was a wise and timely response to a request which had long been respectfully urged by the farmers of the country; but much remains to be done to perfect the organization of the Department so that it may fairly realize the

*See pp. 20–24. †See pp. 24–25. ‡See pp. 25–26.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

expectations which its creation excited. In this connection attention is called to the suggestions contained in the report of the Secretary, which is herewith submitted. The need of a law officer for the Department such as is provided for the other Executive Departments is manifest. The failure of the last Congress to make the usual provision for the publication of the annual report should be promptly remedied. The public interest in the report and its value to the farming community, I am sure, will not be diminished under the new organization of the Department.

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

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

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

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

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

On the 4th of March last the Civil Service Commission had but a single member. The vacancies were filled on the 7th day of May, and since then the Commissioners have been industriously, though with an inadequate force, engaged in executing the law. They were assured by me

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

that a cordial support would be given them in the faithful and impartial enforcement of the statute and of the rules and regulations adopted in aid of it.

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

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

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

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

*See Vol. VIII, pp. 847–851. †See p. 27.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

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

Such aid should be, as it always has been, suggested by some excep-

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

As one Congress can not bind a succeeding one in such a case and as the effort must in some degree be experimental, I recommend that any appropriation made for this purpose be so limited in annual amount and as to the time over which it is to extend as will on the one hand give the local school authorities opportunity to make the best use of the first year's allowance, and on the other deliver them from the temptation to unduly postpone the assumption of the whole burden themselves.

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

But notwithstanding all this, in many parts of our country where the colored population is large the people of that race are by various devices deprived of any effective exercise of their political rights and of many of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

their civil rights. The wrong does not expend itself upon those whose votes are suppressed. Every constituency in the Union is wronged.

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

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

There is nothing more justly humiliating to the national pride and nothing more hurtful to the national prosperity than the inferiority of our merchant marine compared with that of other nations whose general resources, wealth, and seacoast lines do not suggest any reason for their supremacy on the sea. It was not always so, and our people are agreed, I think, that it shall not continue to be so. It is not possible in this communication to discuss the causes of the decay of our shipping interests or the differing methods by which it is proposed to restore them. The statement of a few well-authenticated facts and some general suggestions as to legislation is all that is practicable. That the great steamship lines sailing under the flags of England, France, Germany, Spain,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

and Italy, and engaged in foreign commerce, were promoted and have since been and now are liberally aided by grants of public money in one form or another is generally known. That the American lines of steamships have been abandoned by us to an unequal contest with the aided lines of other nations until they have been withdrawn, or in the few cases where they are still maintained are subject to serious disadvantages, is matter of common knowledge.

The present situation is such that travelers and merchandise find Liverpool often a necessary intermediate port between New York and some of the South American capitals. The fact that some of the delegates from South American States to the conference of American nations now in session at Washington reached our shores by reversing that line of travel is very conclusive of the need of such a conference and very suggestive as to the first and most necessary step in the direction of fuller and more beneficial intercourse with nations that are now our neighbors upon the lines of latitude, but not upon the lines of established commercial intercourse.

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

of our mechanics which will result from a liberal promotion of our foreign commerce insure the widest possible diffusion of benefit to all the States and to all our people. Everything is most propitious for the present inauguration of a liberal and progressive policy upon this subject, and we should enter upon it with promptness and decision.

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

BENJ. HARRISON.

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 17, 1889.*

To the Senate and House of Representatives:

The act of Congress approved July 9, 1888, "for an international marine conference to secure greater safety for life and property at sea," and in virtue of which the present conference is now holding its sessions at Washington, provides by the third section that the labors of the conference shall terminate on the 1st day of January, 1890, or sooner, by direction of the President.

I transmit herewith a report from the Acting Secretary of State, accompanied with a letter from Rear-Admiral S. R. Franklin, United States Navy, president of the conference, stating that in all probability the labors of the conference can not be brought to a close by the time fixed by the present law.

In consideration of the many important questions now under discussion by the conference, which should if possible be satisfactorily determined before the final adjournment, I earnestly recommend that a further act be passed to enable the conference to continue its sessions for a period of two months from January 1, 1890.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 18, 1889.*

To the Senate and House of Representatives:

I transmit herewith a communication of 16th instant from the Secretary of the Interior, submitting the report, with accompanying papers, of the commission appointed under the provisions of the act of March 2, 1889 (25 U. S. Statutes at Large, p. 1002), to conduct negotiations with the Cœur d'Alene tribe of Indians for the purchase and release by said tribe of such portions of its reservation not agricultural and valuable

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

chiefly for minerals and timber as such tribe shall consent to sell, etc., together with the agreement entered into by said commission September 9, 1889, with said Indians.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 20, 1889.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 16th instant from the Secretary of the Interior, submitting a draft of a bill "to provide for the reduction of the Round Valley Indian Reservation, in the State of California, and for other purposes." I invite your attention to the papers herein referred to, showing the necessity for the proposed legislation, and ask that the bill herewith receive careful and early consideration.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 7, 1890.

To the Senate and House of Representatives:

I herewith inclose a report from the Secretary of State, with accompanying papers, in relation to the death of George Pauls, a German subject, at Wilmington, N. C., May 8, 1886, and the claim of his widow for compensation on that account. In view of the statements made by the Secretary of State, I earnestly recommend that an appropriation of $5,000 be made in behalf of Mrs. Pauls.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 13, 1890.

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State of the 13th instant, recommending that the necessary means be provided to erect suitable buildings on the grounds so generously presented in the year 1884 to this Government for the use of its legation at Bangkok by His Majesty the King of Siam.

I commend the matter to the favorable consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 16, 1890.

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, in relation to the claim of the Government of Sweden and Norway, under the treaty between the United States and that Government of July 4, 1827, for the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

benefit of the lower rate of tonnage dues under the shipping acts of 1884 and 1886.

I recommend the immediate adoption by Congress of the necessary legislation to enable this Government to apply in the case of Sweden and Norway the same rule in respect to the levying of tonnage dues under the treaty of 1827 as was claimed and secured by this Government under the same instrument in 1828.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 20, 1890.*

To the Senate and House of Representatives:

I transmit herewith a letter of Professor T. C. Mendenhall, chairman of a committee of the American Association for the Advancement of Science, and president of that association, and also the memorial prepared by said committee, relating to the preservation of the forests upon the public domain.

I very earnestly recommend that adequate legislation may be provided to the end that the rapid and needless destruction of our great forest areas may be prevented.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 20, 1890.

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of War, relating to the condition and needs of the band of Apache Indians now held at Mount Vernon Barracks and at Governors Island. The reports of General Crook and Lieutenant Howard, which accompany the letter of the Secretary, show that some of these Indians have rendered good service to the Government in the pursuit and capture of the murderous band that followed Natchez and Geronimo. It is a reproach that they should not in our treatment of them be distinguished from the cruel and bloody members of the tribe now confined with them.

I earnestly recommend that provision be made by law for locating these Indians upon lands in the Indian Territory.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 27, 1890.

To the Senate of the United States:

I transmit, in reply to the resolution of the Senate of the 8th instant, a report from the Secretary of State, with accompanying documents, in relation to the execution of the acts of Congress approved May 6, 1882, and October 1, 1888, concerning Chinese.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *February 10, 1890.*

To the Senate and House of Representatives:

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

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

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

The chief difficulty in the construction of the act grows out of its relation to prior treaties, which were by section 19 continued in force so far as they are not in conflict with the terms of the act. The seventh article of the treaty of 1868, relating to schools and schoolhouses, is by section 17 of the act continued in force for twenty years, "subject to such

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

modifications as Congress shall deem most effective to secure to said Indians equivalent benefits of such education."

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

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

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

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

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 12, 1890

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, respecting the International Marine Conference which was held in the city of Washington in the year 1889, together with a copy of the proceedings of the conference, including the final act.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 17 1890.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 11th instant from the Secretary of the Interior, submitting a copy of a report from the Commissioner of Indian Affairs and accompanying draft of a bill to amend the first section of an act entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," approved February 8, 1887.

The matter is presented for the consideration and action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 18, 1890.*

To the Senate and House of Representatives:

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

This agreement involves a departure from the terms of the general allotment act in at least one important particular. It gives to each member of the tribe 160 acres of land without regard to age or sex, while the general law gives this allotment only to heads of families. There are, I

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

think, serious objections to the basis adopted in the general law, especially in its application to married women; but if the basis of the agreement herewith submitted is accepted, it would, I think, result in some cases, where there are large families of minor children, in excessive allotments to a single family. Whatever is done in this case will of course become in some sense a precedent in the cases yet to be dealt with.

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

The agreement submitted, as I understand, provides for the payment of the annuities justly due to these friendly Indians to all the members of the two bands per capita. This is said to be the unanimous wish of the Indians, and a distribution to the friendly Indians and their descendants only would now be very difficult, if not impossible.

The agreement is respectfully submitted for the consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 24, 1890.*

To the Senate and House of Representatives:

I transmit herewith a communication of 18th instant from the Secretary of the Interior, submitting copy of a report from the Commissioner of Indian Affairs, inclosing, with accompanying papers, a draft of a bill authorizing the removal of the Indians of the Papago or Gila Bend Reservation, in Maricopa County, Arizona Territory, to the Papago Indian Reservation, in Pima County, in said Territory, or to the Pima and Maricopa Indian reservations, commonly known as the Gila River and Salt River Indian reservations, respectively, in said Territory, and for other purposes.

The matter is presented for the early consideration and action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 24, 1890.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 18th instant from the Secretary of the Interior, submitting a copy of a report of the Commissioner

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

of Indian Affairs and accompanying item for insertion in the bill making appropriations for the current and contingent expenses of the Indian Department, which makes provision for further compensation of Henry B. Carrington, special agent appointed under the act of March 2, 1889, "to provide for the sale of lands patented to certain members of the Flathead band of Indians in Montana Territory, and for other purposes," to secure the consent of the Indians thereto and appraise the lands and improvements thereof; for an appropriation to remove the Indians whose lands have been sold to the Jocko Reservation, and for additional legislation considered necessary to complete this matter, as suggested by the Commissioner of Indian Affairs.

I also transmit a copy of the report of Special Agent Carrington and its inclosures.

The matter is presented for the early consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *March 4, 1890.*

To the Senate and House of Representatives:

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

commissioners, which have been formulated in the draft of a bill prepared by the Secretary of the Interior and submitted herewith.

The act of January 14, 1889 (25 U. S. Statutes at Large, p. 642), evidently contemplated the voluntary removal of the body of all these bands of Indians to the White Earth and Red Lake reservations; but a proviso in section 3 of the act authorized any Indian to take his allotment upon the reservation where he now resides. The commissioners report that quite a general desire was expressed by the Indians to avail themselves of this option. The result of this is that the ceded land can not be ascertained and brought to sale under the act until all of the allotments are made.

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

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

BENJ. HARRISON.

EXECUTIVE MANSION, *March 24, 1890.*

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 8th instant, in relation to the employment by the Regular Army of the United States of Indian scouts for the purpose of pursuing hostile Indians in their raids in the territory of the United States and Mexico, and in regard to the proposed transfer of the Apache Chiricahua Indians from Mount Vernon Barracks, Ala., to Fort Sill, Ind. T., I transmit herewith a communication from the Secretary of State on the subject, together with the accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION, *March 29, 1890.*

To the Senate of the United States:

In compliance with the resolution of the Senate of the 28th instant, the House of Representatives concurring, I return herewith the bill (S. 1332) entitled "An act granting to the city of Colorado Springs, in the State of Colorado, certain lands therein described for water reservoirs."

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, March 31, 1890.

To the Senate and House of Representatives:

I herewith transmit a report from the Secretary of State, in relation to the discriminating duty now imposed upon foreign works of art, and

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

recommend that action thereon looking to the removal of the discrimination be taken by Congress during its present session, if practicable.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, April 15, 1890.

To the House of Representatives:

I herewith transmit, in reply to the resolution of the House of Representatives of the 3d instant, a report from the Secretary of State, accompanied by certain correspondence in regard to the seizure of the schooner *Rebecca* by the Mexican customs authorities at Tampico in February, 1884.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, April 18, 1890.

To the Senate and House of Representatives:

I transmit herewith the fifth annual report of the Commissioner of Labor.

BENJ. HARRISON.

EXECUTIVE MANSION, *April 18, 1890.*

To the House of Representatives:

In compliance with the resolution of the House of Representatives, the Senate concurring, I return herewith House bill No. 5179, entitled "An act fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia if paid within a specified time."

BENJ. HARRISON.

EXECUTIVE MANSION, *April 21, 1890.*

To the Senate and House of Representatives:

In compliance with a resolution of the House of Representatives, the Senate concurring, I return herewith House bill No. 105, entitled "An act in relation to immediate transportation of dutiable goods, amendatory of the act of July 10, 1880."

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, April 21, 1890.

To the Senate of the United States:

In answer to the resolution of the Senate dated March 25 last, in relation to La Abra Silver Mining Company and the distribution or payment of moneys to that corporation on account of the award in its favor

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

by the Mexican Government, I transmit herewith a report from the Secretary of State upon the subject, together with the accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION, *April 30, 1890.*

To the Senate of the United States:

In compliance with a resolution of the Senate, the House of Representatives concurring, I return herewith Senate bill 895, entitled "An act to organize the Territory of Oklahoma, to establish courts in the Indian Territory, and for other purposes."

BENJ. HARRISON.

EXECUTIVE MANSION, *May 8, 1890.*

To the House of Representatives:

In answer to the resolution of the House of Representatives of March 31, 1890, respecting the importation into foreign countries of breadstuffs and provisions from the United States and the rates of duty imposed upon such articles, I transmit herewith a report from the Secretary of State on the subject, together with the accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 13, 1890.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 10th instant from the Secretary of the Interior, and the accompanying copies of correspondence, relative to the condition of the Northern Cheyenne Indians at the Pine Ridge Agency, S. Dak.

The desire of these Indians to be united upon some common reservation with their brethren now occupying the Tongue River Reserve, in Montana, is quite natural, and such an arrangement would, I think, promote the best interests of both of these bands.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 17, 1890.*

To the Senate of the United States:

In compliance with a resolution of the Senate of this date, I return herewith the bill (S. 903) entitled "An act for the erection of a public building in Cedar Rapids, Iowa."

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *May 19, 1890.*

To the Senate and House of Representatives:

I inclose herewith a draft of a bill submitted by the Secretary of the Interior, providing for the survey and disposal of a tract of land situated in the city of Monterey, Cal., known as the "Cuartel" lot.

The lot referred to is one of the tracts excluded from the survey of the Pueblo lands of Monterey, Cal., by the decision of Acting Secretary of the Interior Muldrow of October 4, 1887 (6 Land Decisions, p. 179), on the ground that it was in a state of reservation for national purposes.

A communication from the Secretary of War to the Secretary of the Interior, copy herewith, states that this lot has been occupied at intervals by the War Department for military purposes, but as it is not within the limits of any declared military reservation the act of July 5, 1884 (23 U. S. Statutes at Large, p. 103), providing for a transfer to the Interior Department of abandoned military reservations, does not apply.

The lot is no longer required for military purposes, and a willingness is expressed by the War Department that the Department of the Interior should assume control of it. A copy of the tracing, with notes, is inclosed, showing an approximate survey and describing the situation of the lot.

I also inclose a copy of a report of the Commissioner of the General Land Office to the Secretary of the Interior, setting forth that under the decision of Mr. Muldrow the tract of land known as the "Cuartel" lot belongs to the United States by conquest and by treaty, and is in a state of reservation for national purposes, and respectfully submitting that Congress may continue its status as fixed by said decision or enact appropriate laws providing for its disposition as public land.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 19, 1890.*

To the Senate and House of Representatives:

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

Public attention has chiefly been attracted to the subject of improved water communication between the ports of the United States and those of Central and South America. The creation of new and improved steamship lines undoubtedly furnishes the readiest means of developing an increased trade with the Latin-American nations. But it should not be forgotten that it is possible to travel by land from Washington to the southernmost capital of South America, and that the opening of railroad communication with these friendly States will give to them and to

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

us facilities for intercourse and the exchanges of trade that are of special value.

The work contemplated is vast, but entirely practicable. It will be interesting to all, and perhaps surprising to most of us, to notice how much has already been done in the way of railroad construction in Mexico and South America that can be utilized as part of an intercontinental line.

I do not hesitate to recommend that Congress make the very moderate appropriation for surveys suggested by the conference and authorize the appointment of commissioners and the detail of engineer officers to direct and conduct the necessary preliminary surveys.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 21, 1890.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 20th instant from the Secretary of the Interior and accompanying correspondence in the matter of the request of the Seminole Nation of Indians for negotiations with the Creek Nation of Indians for the purchase of an additional quantity of land, being about 25,000 acres, for the use of the Seminoles. The request is based upon the fact that former purchases do not embrace all of the lands upon which the Seminole Indians have made improvements, and which by the corrected survey were given to the Creeks. The money to be paid for these lands is to be reimbursed to the Government by the Seminoles.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 26, 1890.*

To the House of Representatives:

In compliance with the resolutions of the House of Representatives of the 23d instant, the Senate concurring, I return herewith the bills H. R. Nos. 380 and 2007, entitled, respectively, "An act to amend an act entitled 'An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Tennessee and Cumberland rivers,' approved January 8, 1889," and "An act granting a pension to the widow of Adam Shrake."

BENJ. HARRISON.

EXECUTIVE MANSION, *May 27, 1890.*

To the Senate and House of Representatives:

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

and branches in the commercial centers of the several other American Republics.

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

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

BENJ. HARRISON.

EXECUTIVE MANSION, *May 28, 1890.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 26th instant from the Secretary of the Interior, and accompanying item of appropriation, to enable the President to continue the negotiations authorized by sections 14 and 15 of the Indian appropriation act approved March 2, 1889, with the Cherokee Indians and with all other Indians owning or claiming lands west of the ninety-sixth degree of longitude in the Indian Territory, for the cession to the United States of all their title, claim, or interest of every kind or character in and to said lands, etc.

The matter is presented for the favorable action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 2, 1890.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 29th ultimo, the Senate concurring, I return herewith the bill (H. R. 7345) entitled "An act authorizing and directing the Secretary of War to establish new harbor lines in Portage Lake, Houghton County, Mich."

BENJ. HARRISON.

EXECUTIVE MANSION, *June 2, 1890.*

To the Senate and House of Representatives:

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

BENJ. HARRISON.

EXECUTIVE MANSION, *June 6, 1890.*

To the Senate of the United States:

In response to the resolution of the Senate of the 26th of May, requesting me to "communicate to the Senate such information as may be in possession of the executive department relating to the alleged landing of an armed force from the United States revenue cutter *McLane* at Cedar Keys, Fla., and the alleged entry of houses of citizens by force, and their alleged pursuit of citizens of the United States in the surrounding country, and the authority under which the commanding officer of the cutter acted in any such matter," I submit for the information of the Senate the accompanying correspondence, which contains all the information possessed by the executive department relating to the matters inquired about.

It will be observed that the United States collector of customs at Cedar Keys had been driven from his office and from the town and the administration of the customs laws of the United States at that port suspended by the violent demonstrations and threats of one Cottrell, the mayor of the place, assisted by his town marshal, Mitchell. If it had been necessary, as I do not think it can be in any case, for a United States officer to appeal to the local authorities for immunity from violence in the exercise of his duties, the situation at Cedar Keys did not suggest or encourage such an appeal, for those to whom the appeal would have been addressed were themselves the lawless instruments of the threatened violence. It will always be agreeable to me if the local authorities, acting upon their own sense of duty, maintain the public order in such a way that the officers of the United States shall have no occasion to appeal for the intervention of the General Government; but when this

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

is not done I shall deem it my duty to use the adequate powers vested in the Executive to make it safe and feasible to hold and exercise the offices established by the Federal Constitution and laws.

The means used in this case were, in my opinion, lawful and necessary, and the officers do not seem to have intruded upon any private right in executing the warrants placed in their hands. The letter dated August 4 last, which appears in the correspondence submitted, appealing to me to intervene for the protection of the citizens of Cedar Keys from the brutal violence of Cottrell, it will be noticed, was written before the appointment of the new collector. That the officers of the law should not have the full sympathy of every good citizen in their efforts to bring these men to merited punishment is matter of surprise and regret. It is a very grim commentary upon the condition of social order at Cedar Keys that only a woman, who had, as she says in her letter, no son or husband who could be made the victim of his malice, had the courage to file charges against this man, who was then holding a subordinate place in the customs service.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 6, 1890.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 5th instant, the House of Representatives concurring, I return herewith the bill (S. 1293) entitled "An act for the relief of Charles F. Bowers."

BENJ. HARRISON.

EXECUTIVE MANSION, *June 16, 1890.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress with a view to securing such legislation as may be appropriate, a communication from the Secretary of the Interior, relating to the destruction by fires, carelessly kindled or left, of the timber upon the public lands.

If proper penalties were imposed by law and a few convictions thereunder secured, I do not doubt that much waste of our forests would be prevented.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 18, 1890.*

To the Senate of the United States:

In response to the resolution of the Senate of the 16th instant, relating to the negotiations by the Cherokee Commission for the purchase of certain lands in the Indian Territory, I respectfully state that on the 20th day of May and the 12th day of June, respectively, agreements were signed by the Iowa and the Sac and Fox tribes ceding to the United

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

States certain of their lands. The contracts and accompanying papers were received at the Interior Department on the 2d and 17th days of June, respectively, and are now under examination by the proper officers of that Department. When these examinations are concluded, the papers will, if found to be complete and conformable to law, be submitted to Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 19, 1890.*

To the Senate and House of Representatives:

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

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

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

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

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *June 24, 1890.*

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 23d instant, the Senate concurring, I return herewith the bill (H. R. 5702) "granting a pension to Ann Bryan."

BENJ. HARRISON.

EXECUTIVE MANSION, *June 25, 1890.*

To the Senate of the United States:

In compliance with a resolution of the Senate of the 23d instant, the House of Representatives concurring, I return herewith the bill (S. 145) "for the relief of the legal representatives of Henry S. French."

BENJ. HARRISON.

EXECUTIVE MANSION, *July 1, 1890.*

To the Senate and House of Representatives:

In my annual message I called attention to the urgent need of legislation for the adjustment of the claims under Mexican grants to lands in Arizona and New Mexico.

I now submit a correspondence which has passed between the Department of State and the Mexican Government concerning the rights of certain Mexican citizens to have their claims to lands ceded to the United States by the treaty adjusted and confirmed. I also submit a letter from the Secretary of the Interior, with accompanying papers, showing the number and extent of these claims and their present condition.

The United States owes a duty to Mexico to confirm to her citizens those valid grants that were saved by the treaty, and the long delay which has attended the discharge of this duty has given just cause of complaint.

The entire community where these large claims exist, and, indeed, all of our people, are interested in an early and final settlement of them. No greater incubus can rest upon the energies of a people in the development of a new country than that resulting from unsettled land titles.

The necessity for legislation is so evident and so urgent that I venture to express the hope that relief will be given at the present session of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 2, 1890.*

To the Senate and House of Representatives:

In compliance with the provisions of section 14 of the act of March 2, 1889, I transmit herewith, for the consideration of Congress, an agreement concluded between the commissioners appointed under that section

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

on behalf of the United States, commonly known as the Cherokee Commission, and the Sac and Fox Nation of Indians in the Indian Territory on the 12th day of June last.

The Sac and Fox Nation have a national council, and the negotiation was conducted with that body, which undoubtedly had competent authority to contract on behalf of the tribe for the sale of these lands. The letter of the Secretary of the Interior and the accompanying papers, which are submitted herewith, furnish all the information necessary to the consideration of the questions to be determined by Congress.

The only serious question presented is as to that article of the agreement which limits the distribution of the funds to be paid by the United States under it to the Sac and Fox Indians now in the Indian Territory. I very gravely doubt whether the remnant or band of this tribe now living in Iowa has any interest in these lands in the Indian Territory. The reservation there was apparently given in consideration of improvements upon the lands of the tribe in Kansas. The band now resident in Iowa upon lands purchased by their own means, as I am advised, left the Kansas reservation many years before the date of this treaty, and it would seem could have had no equitable interest in the improvements on the Kansas lands, which must have been the result of the labors of that portion of the tribe living upon them. The right of the Iowa band to a participation in the proceeds of the sale of the Kansas reservation was explicitly reserved in the treaty; but it seems to me upon a somewhat hasty examination of the treaty that the reservation in the Indian Territory was intended only for the benefit of those who should go there to reside. The Secretary of the Interior has expressed a somewhat different view of the effect of this treaty; but if the facts are, as I understand, that the Iowa band did not contribute to the improvements which were the consideration for the reservation and did not accept the invitation to settle upon the reservation lands in the Indian Territory, I do not well see how they have either an equitable or legal claim to participate in the proceeds of the sale of those lands.

The whole matter is submitted for the consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, July 2, 1890.

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, inclosing the recommendations of the International American Conference for the establishment of improved facilities for postal and cable communication between the United States and the several countries of Central and South America.

I can not too strongly urge upon Congress the necessity of giving this subject immediate and favorable consideration and of making adequate

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

appropriations to carry the recommendations into effect; and in this connection I beg leave to call attention to what was said on the subject in my annual message.* The delegates of the seventeen neighboring Republics, which have so recently been assembled in Washington at the invitation of this Government, have expressed their wish and purpose to cooperate with the United States in the adoption of measures to improve the means of communication between the several Republics of America. They recognize the necessity of frequent, regular, and rapid steamship service, both for the purpose of maintaining friendly intercourse and for the convenience of commerce, and realize that without such facilities it is useless to attempt to extend the trade between their ports and ours.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, July 2, 1890.

To the Senate and House of Representatives:

I transmit herewith, for your information, a letter from the Secretary of State, inclosing a copy of a resolution passed by the International American Conference with reference to the celebration of the fourth centennial of the discovery of America.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 2, 1890.*

To the Senate and House of Representatives:

I transmit herewith, as required by section 14 of the act of March 2, 1889, an agreement concluded on the 20th day of May last between the commissioners on behalf of the United States, commonly known as the Cherokee Commission, and the Iowa Indians residing in the Indian Territory.

A letter of the Secretary of the Interior, which is accompanied by communications from the Commissioner of Indian Affairs and the Assistant Attorney-General, is also submitted.

These papers present a full and clear statement of the matters of fact and questions of law which Congress will need to consider in passing upon the question of the ratification of the agreement, which is submitted for its consideration and such action as may be deemed proper.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, July 11, 1890.

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, including a report of the action of the International American Conference,

*See pp. 56–57.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

lately in session in this city, concerning the protection of patents, trade-marks, and copyrights in commerce between the American Republics, to which I invite your attention.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, July 11, 1890.

To the Senate and House of Representatives:

I invite your attention to the accompanying letter of the Secretary of State, submitting the recommendations of the International American Conference for the better protection of the public health against the spread of contagious diseases.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 12, 1890.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, inclosing a copy of a report upon weights and measures adopted by the International American Conference, recently in session at this capital.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 12, 1890.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, inclosing a copy of a report of the International American Conference, recently in session at this capital, recommending the establishment of an international American monetary union, and suggesting that the President be authorized to invite the several American nations to send delegates to its first meeting in Washington on the first Wednesday of January next; that authority also be granted for the appointment of three delegates on the part of the United States, and that an appropriation be made to meet the necessary expenses.

I commend these suggestions and hope they will receive the prompt consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, July 14, 1890.

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, inclosing the recommendation of the International American Conference with reference to the adoption by the American Republics of a uniform code of international law, to which your attention is respectfully directed.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION,
Washington, July 14, 1890.

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, inclosing the recommendations of the International American Conference, recently in session at this capital, concerning a uniform system of port dues and consular fees to be adopted by the several American Republics, to which I invite your attention.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 15, 1890.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, inclosing a resolution adopted by the International American Conference for the erection of a memorial tablet in the diplomatic chamber of the Department of State to commemorate the meeting of that body.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 15, 1890.*

To the Senate and House of Representatives:

I transmit herewith, for your information, certain reports on the subject of extradition adopted by the International American Conference at its recent sessions in this city.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 15, 1890.*

To the Senate and House of Representatives:

I transmit two agreements concluded by the commission appointed under section 14 of the act of March 2, 1889, commonly known as the Cherokee Commission, with the Citizen band of Pottawatomie Indians and the band of Absentee Shawnees, respectively, for the cession of certain lands to the United States.

Letters from the Secretary of the Interior, the Commissioner of Indian Affairs, and the Assistant Attorney-General for the Department of the Interior relating to the same matter are also submitted.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 17, 1890.*

To the Senate and House of Representatives:

The act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1890, provides, among other things, that the President shall appoint three competent sanitary engineers to examine and report upon the system of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

sewerage existing in the District of Columbia, together with such suggestions and recommendations as may to them seem necessary and desirable for the modification and extension of the same, which report was to be transmitted to Congress by the President at its next session.

In pursuance of the authority thus conferred, on the 17th of August, 1889, I appointed Rudolph Hering, of New York, Samuel M. Gray, of Rhode Island, and Frederick P. Stearns, of Massachusetts, to make this examination and report.

The gentlemen named were believed to have such ability and experience as sanitary engineers as to guarantee an intelligent and exhaustive study of the problem submitted to them.

I transmit herewith their report, which has just been submitted to me, for the consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 23, 1890.*

To the House of Representatives:

In response to the resolution of the House of Representatives requesting me, if in my judgment not incompatible with the public interest, to furnish to the House the correspondence since March 4, 1889, between the Government of the United States and the Government of Great Britain touching the subjects in dispute in the Bering Sea, I transmit a letter from the Secretary of State, which is accompanied by the correspondence referred to in the resolution.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 29, 1890.*

To the Senate and House of Representatives:

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

only intended to serve the purposes of a legitimate trade and a decent social intercourse.

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

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

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

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

It may also be necessary to so regulate the carrying of letters by the express companies as to prevent the use of those agencies to maintain communication between the lottery companies and their agents or customers in other States.

It does not seem possible that there can be any division of sentiment as to the propriety of closing the mails against these companies, and I therefore venture to express the hope that such proper powers as are necessary to that end will be at once given to the Post-Office Department.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, July 30, 1890.

To the Senate of the United States:

I transmit herewith a report from the Acting Secretary of State, in response to a resolution of the Senate of the 23d instant, calling for information touching the alleged arrest and imprisonment of A. J. Diaz by the Cuban authorities and the action which has been taken in respect thereto.

It will be seen that Mr. Diaz has been released.

BENJ. HARRISON.

EXECUTIVE MANSION, *August 8, 1890.*

To the Senate and House of Representatives:

I have received, under date of July 29 ultimo, a communication from Hon. George W. Steele, governor of the Territory of Oklahoma, in which, among other things, he says:

A delegation from township 16, range 1, in this county, has just left me, who came to represent that there are at this time twenty-eight families in that township who are in actual need of the necessaries of life, and they give it as their opinion that

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

their township is not an exception, and that in the very near future a large proportion of the settlers of this Territory will have to have assistance.

This I have looked for, but have hoped to bridge over until after the legislature meets, when I thought some arrangement might be made for taking care of these needy people; but with little taxable property in the Territory, and very many necessary demands to be made and met, I doubt if the legislature will be able to make such provision until a crop is raised next year as will be adequate to the demands. * * *

Now I know whereof I speak, and I say there are a great many people in this Territory who have not the necessary means of providing meals for a day to come and are being helped by their very poor neighbors. No one regrets more than I do the necessity of making the foregoing statement, and I have hoped to bridge the matter over, as I have said before, until the legislature would meet and see if some provision could be made.

I now see the utter hopelessness of such a course, and I beg of you to call the attention of Congress to the condition of our people, with the earnest hope that provision may be made whereby great suffering may be relieved; and I assure you that so far as I am able to prevent it not one ounce of provisions or a cent of money contributed to the above need shall be improperly used.

Information received by me from other sources leads me to believe that Governor Steele is altogether right in his impression that there will be, unless relief is afforded either by public appropriation or by organized individual effort, widespread suffering among the settlers in Oklahoma. Many of these people expended in travel and in providing shelter for their families all of their accumulated means. The crop prospects for this year are by reason of drought quite unfavorable, and the ability of the Territory itself to provide relief must be inadequate during this year.

I am advised that there is an unexpended balance of about $45,000 of the fund appropriated for the relief of the sufferers by flood upon the Mississippi River and its tributaries, and I recommend that authority be given to use this fund to meet the most urgent necessities of the poorer people in Oklahoma. Steps have been taken to ascertain more particularly the condition of the people throughout the Territory, and if a larger relief should seem to be necessary the facts will be submitted to Congress. If the fund to which I have referred should be made available for relief in Oklahoma, care will be taken that so much of it as is necessary to be expended shall be judiciously applied to the most worthy and necessitous cases.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, August 15, 1890.

To the Senate:

In compliance with the resolution of the Senate of the 26th of July, 1890, calling for all correspondence not already submitted to Congress and now on file ~~in the De~~partment of State ~~touch~~ing the ~~efforts~~ made ~~by~~ this Government to secure the modification or repeal by the French Government of its decree of 1881, prohibiting the importation into France of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

American pork and kindred American products, I transmit herewith a report from the Acting Secretary on the subject, with the accompanying correspondence.

BENJ. HARRISON.

EXECUTIVE MANSION, *September 3, 1890.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, which is accompanied by three reports adopted by the conference of American nations recently in session at Washington, relating to the subject of international arbitration. The ratification of the treaties contemplated by these reports will constitute one of the happiest and most hopeful incidents in the history of the Western Hemisphere.

BENJ. HARRISON.

EXECUTIVE MANSION, *October 1, 1890.*

To the House of Representatives:

I transmit herewith, in answer to the resolution of the House of Representatives of August 20, 1890, concerning the enforcement of proscriptive edicts against the Jews in Russia, a report from the Secretary of State upon the subject.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, October 1, 1890.

To the Senate:

In response to the resolution of the Senate of September 17, 1890, I inclose a report from the Secretary of State, transmitting all the correspondence found among the files of his Department relating to the claim of Thomas T. Collins against the Government of Spain.

BENJ. HARRISON.

VETO MESSAGES.

EXECUTIVE MANSION, *April 26, 1890.*

To the House of Representatives:

I return herewith without my approval the bill (H. R. 7170) "to authorize the city of Ogden, Utah, to assume an increased indebtedness."

The purpose and effect of this bill is to relieve the city of Ogden from the limitation imposed by the act of July 30, 1886, upon all municipal corporations in the Territories as to the indebtedness which they may

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

lawfully contract. The general law fixes the limit of 4 per cent upon the last assessment for taxation; this bill extends the limit as to the city of Ogden to 8 per cent. The purposes for which this legislation is asked are not peculiar or exceptional. They relate to schools, street improvements, and to sewerage, and are common to every prosperous and growing town and city. If the argument by which this measure is supported is adopted, the conclusion should be a repeal or modification of the general law; but in my opinion the limitation imposed by the act of 1886 is wise and wholesome and should not be relaxed.

The report of the governor of Utah for 1889 states the population of Ogden to be 15,000, the valuation for taxation $7,000,000, and the existing indebtedness $100,000. It will be noticed that under the existing limit the city has power to increase its indebtedness $180,000, which would seem to be enough to make a good beginning in the construction of sewers, while the cost of street improvements is usually met in large part by direct assessment upon the property benefited.

It is assumed in the report of the House committee that any city in the States similarly situated "would have the making of the needed improvements within its own power," while the fact is that almost all of our States have either by their constitutions or statutes limited the power of municipal corporations to incur indebtedness, and the limit is generally lower than that fixed by the act regulating this matter in the Territories. A large city debt retards growth and in the end defeats the purpose of those who think by mortgaging the future to attract population and property. I do not doubt that the citizens of Ogden will ultimately realize that the creation of a municipal debt of over half a million dollars by a city of 15,000 population—being $37 per capita—is unwise.

BENJ. HARRISON.

EXECUTIVE MANSION, *April 29, 1890.*

To the House of Representatives:

I return without my approval the bill (H. R. 848) "to authorize the construction of an addition to the public building in Dallas, Tex."

The bill authorizes the construction of a wing or addition to the present public building at a cost of $200,000. I find that the bill as originally introduced by the member representing the Congressional district in which Dallas is situated fixed $100,000 as the limit of the proposed expenditure, and it was so reported from the Committee on Public Buildings and Grounds after conferring with the Supervising Architect of the Treasury. A bill of the same tenor was introduced in the Senate by one of the Senators from that State, fixing the same limit of expenditure.

The public building at Dallas, for which a first appropriation of $75,000 was made in 1882, subsequently increased to $125,000, was only completed in 1889. It is probably inadequate now to the convenient transaction of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

business, chiefly in that part assigned to the Post-Office Department. The material and architectural style of any addition are fixed by the present building and its ground area by the available unoccupied space, as no provision is made for buying additional ground. The present building is 85 by 56 feet, and Mr. John S. Witwer, the postmaster and the custodian of the building, writing to the Supervising Architect, advises that to meet the present and prospective needs of the Government an addition at least two-thirds as large as the present building should be provided. It will be seen from the following extract from a letter of the Supervising Architect to the chairman of the Senate Committee on Public Buildings and Grounds, dated February 17, 1890, that a building larger than that suggested can be erected within the limit of $100,000. He says:

> From computations made in this office based upon data received it is found that an extension or wing about 40 by 85 feet in dimensions, three stories high, with basement, giving 3,400 square feet, in addition to the 4,760 square feet of the first-floor area of the building, of fireproof construction, can be erected on the present site within the limit of cost proposed by said bill, namely, $100,000.

It may be possible that an expenditure of $325,000 for a public building at Dallas, if the questions of site, material, and architecture were all undetermined, could be defended, but under existing conditions I do not see how an appropriation of $200,000 can be justified when one-half that sum is plainly adequate to such relief as the present site allows.

The legislation for the erection of public buildings has not proceeded, so far as I can trace it, upon any general rules. Neither population nor the extent of the public business transacted has always indicated the points where public buildings should first be built or the cost of the structures. It can not be expected that, in the absence of some general law, the committees of Congress having charge of such matters will proceed in their recommendations upon strict or equal lines. The bills are individual, and if comparisons are attempted the necessary element of probable future growth is made to cover all apparent inequalities. It will be admitted, I am sure, that only a public need should suggest the expenditure of the public money, and that if all such needs can not be at once supplied the most general and urgent should have the preference.

I am not unfriendly to a liberal annual expenditure for the erection of public buildings where the safe and convenient transaction of the public business demands it and the state of the revenues will permit. It would be wiser, in my opinion, to build more and less costly houses and to fix by general law the amount of the annual expenditure for this purpose and some order of preference between the cities asking for public buildings.

But in view of the pending legislation looking to a very large reduction of our revenues and of the urgency and necessity of a large increase in our expenditures in certain directions, I am of the opinion that appropriations for the erection of public buildings and all kindred expenditures

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

should be kept at the minimum until the effect of other probable legislation can be accurately measured.

The erection of a public building is largely a matter of local interest and convenience, while expenditures for enlarged relief and recognition to the soldiers and sailors of the war for the preservation of the Union, for necessary coast defenses, and for the extension of our commerce with other American States are of universal interest and involve considerations, not of convenience, but of justice, honor, safety, and general prosperity.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 4, 1890.*

To the Senate of the United States:

I return without my approval the bill (S. 1306) "for the erection of a public building at Hudson, N. Y." Hudson, from the best information attainable, is a city of only a little more than 10,000 population. If the postal receipts are a fair indication of the growth of the city, it has not been rapid, as they only increased about $4,000 in ten years. The gross postal receipts for the year 1888 were but $14,809, and the office force consists of three clerks and five carriers. There are no other Government officers at Hudson entitled under the law to offices or to an allowance for rent, unless it be a deputy collector of internal revenue.

It appears from the bill and the correspondence with the Supervising Architect that it is proposed to erect a two-story building, with fireproof vaults, heating and ventilating apparatus, and elevators, 40 by 80 feet in dimensions. The ground-floor area of 3,200 feet, to be devoted to the post-office, would give 400 square feet to each of the present employees. The second story and the basement, each having the same area, will be absolutely tenantless, unless authority is given by law to the custodian to rent the rooms to unofficial tenants. It seems to me to be very clear that the public needs do not suggest or justify such an expenditure as is contemplated by this bill.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 12, 1890.*

To the House of Representatives:

I return without my approval the bill (H. R. 7175) to provide for the purchase of a site and the erection of a public building thereon at Tuscaloosa, in the State of Alabama.

Judged by its postal revenues and by the force employed in the office, the post-office at Tuscaloosa is not an important one. It has one clerk, at a salary of $450, and no carriers. The report of the Postmaster-General shows that the gross receipts for the year 1888 were $6,379 and the net revenue less than $4,000. The annual receipts have only increased about $3,000 in ten years. The rent now paid for a building affording 2,200 square feet of floor space is $275.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

A general proposition to erect public buildings at this scale of expense in cities of the size of Tuscaloosa would not, I am sure, receive the sanction of Congress. It would involve the expenditure for buildings of ten times the present net revenues of such offices, and in the case under consideration would involve an increased cost for fuel, lights, and care greater than the rent now paid for the use of a room of ample size. I would not insist that it must always be shown that a proposed public building would yield an interest upon the investment, but in the present uncertain state of the public revenues and expenditures, resulting from pending and probable legislation, there is, in my opinion, an absolute necessity that expenditures for public buildings should be limited to cases where the public needs are very evident and very imperative. It is clear that this is not such a case.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 17, 1890.*

To the Senate of the United States:

I return without my approval the bill (S. 1762) "to change the boundaries of the Uncompahgre Reservation."

This bill proposes to separate from the Ute Indian Reservation in Utah and restore to the public domain two ranges of townships along the east side of the reservation and bordering the Colorado State line. It is said that these lands are wholly worthless to the Indians for cultivation or for grazing purposes, and it must follow, I think, that they are equally worthless for such purposes to white men.

The object, then, of this legislation is to be sought not in any public demand for these lands for the use of settlers—for if they are susceptible of that use the Indians have a clear equity to take allotments upon them—but in that part of the bill which confirms the mineral entries, or entries for mineral uses, which have been unlawfully made "or attempted to be made on said lands." It is evidently a private and not a public end that is to be promoted. It does not follow, of course, that this private end may not be wholly meritorious and the relief sought on behalf of these persons altogether just and proper. The facts, as I am advised, are that upon these lands there are veins or beds of asphaltum or gilsonite supposed to be of very great value.

Entries have been made in that vicinity, but upon public lands, which lands have been resold for very large amounts. It is not important, perhaps, that the United States should in parting with these lands realize their value, but it is essential, I think, that favoritism should have no part in connection with the sales. The bill confirms all attempted entries of these mineral lands at the price of $20 per acre (a price that is suggestive of something unusual) without requiring evidence of the expenditure of any money upon the claim, or even proof that the claimant was the discoverer of the deposits.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

The bill requires "good faith," but it will be next to impossible for the officers of the Interior Department to show actual knowledge on the part of the claimant of the lines of the reservation. The case will practically be as to this matter in the hands of the claimant. But why should good faith at the moment of attempting the entry, without any requirement of expenditure, and followed, it may be, within twenty-four hours by actual notice that he was upon a reservation, give an advantage in the sale of these lands that may represent a very large sum of money?

In the second place, I do not think it wise, without notice even to the Indians, to segregate these lands from their reservation. It is true, I think, that they hold these lands by an Executive order, with a contract right to take allotments upon them, and that the lands in question are not likely to be sought as an allotment by any Indian. But the Indians have been placed on this reservation and its boundaries explained to them, and to take these lands in this manner is calculated to excite their distrust and fears, and possibly to create serious trouble.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 20, 1890.*

To the House of Representatives:

I return without my approval the bill (H. R. 3934) "to authorize the board of supervisors of Maricopa County, Ariz., to issue certain bonds in aid of the construction of a certain railroad."

This bill proposes to confer authority upon the supervisors of the county of Maricopa to issue county bonds at the rate of $4,000 per mile in aid of a railroad to be constructed from Phœnix northwardly to the county line, a distance estimated at 50 miles, but probably somewhat longer. The bill seems to have passed the House of Representatives under an entire misapprehension of its true scope and effect. In the brief report submitted by the Committee on Territories it is said that "by the terms of the bill the county receives *bonds* in payment of the money proposed to be advanced," and in the course of the debate the Delegate from Arizona mistakenly stated in response to a request for information that the bill proposed a loan by the county, in exchange for which it was to receive the bonds of the railroad company. In fact, the bill does not provide for a loan to be secured by bonds, but for a subscription of stock. How far this mistake may have affected the passage of the bill can not of course be known.

The bill does not submit the question of granting this aid to a vote of the people of the county, but confers direct authority upon the supervisors to issue the bonds. It is said, however, that in April, 1889, an election was held to obtain the views of the people upon the question. It does not appear from any papers submitted to me who were the managers of this so-called election; what notice, if any, was given; what qualifications on the part of voters were insisted upon, if any, or in what form

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the question was presented. There was no law providing for such an election. Being wholly voluntary, the election was, of course, under the management of those who favored the subsidy, and was conducted without any legal restraints as to the voting or certification. I have asked for a statement of the vote by precincts, and have been given what purports to be the vote at twelve points. The total affirmative vote given was 1,975 and the negative 134. But of the affirmative vote 1,543 were given at Phœnix and 188 at Tempe, a town very near to Phœnix. If there were no other objections to this bill, I should deem this alone sufficient, that no provision is made for submitting to a vote of the people at an election, after due notice and under the sanction of law, the question whether this subscription shall be made.

But again, the bill proposes to suspend for this case two provisions of the act of Congress of July 30, 1886—first, that provision which forbids municipal corporations from subscribing to the stock of other corporations or loaning their credit to such corporations, and, second, that provision which forbids any municipal corporation from creating a debt in excess of 4 per cent of its taxable property as fixed by the last assessment. The condition of things then existing in Arizona had not a little to do with the enactment by Congress of this law, intended to give to the people of the Territories that protection against oppressive municipal debts which was secured to the people of most of the States by constitutional limitations. The wisdom of this legislation is not contested by the friends of this bill, but they claim that the circumstances here are so peculiar as to justify this exception. I do not think so. In the States the limitation upon municipal indebtedness is usually placed in the constitution, in order that it may be inflexible. If a showing of need, gain, or advantage is to overcome the barrier, then it is scarcely worth while to declare a limitation. Only a belief that the limit is inflexible will promote care and economy in administration. If this bill becomes a law, how can Congress refuse to any county in any of the Territories the right to subscribe to the stock of a railroad company, especially where the subscription would not exceed the debt limit, upon a showing of the advantages of better and cheaper communications?

Maricopa County is one of great extent. Its northern boundary is 95 miles long, its southern boundary 66, its eastern 45, and its western 102. This great area is to be taxed to construct a road which can, in the nature of things, be of advantage to but a fraction of it. There is no unity of interest or equality of advantage. It may very well be that a section of these lands along the line of the road, and especially town lots in Phœnix, would have an added value much greater than the increased burden imposed, but it is equally clear that much property in the county will receive no appreciable benefit.

The existing bonded indebtedness of Maricopa County is $272,000; the tax assessment of the county is about $5,000,000, and the population

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

is estimated, by multiplying the vote cast in 1888 by 6, at about 12,000. It will be seen that the bonded debt, to say nothing of a floating debt, which is said to be small, is already largely in excess of the legal limit, and it is proposed to increase it by a subscription that will certainly involve $200,000, and possibly $250,000. If the bill becomes a law, the bonded indebtedness will very closely approximate 10 per cent of the assessed valuation of the property of the county.

The condition of things in the county of Yavapai, lying immediately north of Maricopa, and through which this road is also to run, though not directly affected by this legislation, is very instructive in this connection.

By an act of the legislature of Arizona passed the year before the act of Congress to which I have referred Yavapai County was authorized to subscribe $4,000 per mile to this line of road. The total length of the road in the county was 147 miles, and 74 miles, to Prescott, have been constructed. The secretary of the Territory, in response to an inquiry, states the debt of Yavapai County at $563,000 and the assessment for taxation at "between six and seven millions." There are 73 miles of road yet to be built from the present terminus, Prescott, to the south line of the county, for which Yavapai County must make a further issue of bonds of $292,000, making a total county debt of $855,000, or above 13 per cent upon the taxable assessment (taking that at $6,500,000), and a per capita county debt of nearly $85, taking the population at about 10,600, as stated in the report of the Senate committee. Surely no one will insist that the true and permanent prosperity of these communities will be promoted by loading their energies and their industries with these great debts. I feel the force of the suggestion that the freight charges now imposed upon the farm and orchard products of Maricopa County by the railroads now in operation are oppressive. But this bill does not afford much relief even in that direction. There would be but one competing point, viz, Phœnix. At all other points on the proposed road the people would be subject to the exaction of just such rates as are demanded by the other lines. If this bill contained some effective provision to secure reasonable freight rates to the people who are to be taxed to build the road, it would go far to secure my favorable consideration for it.

I have carefully examined the reports of the committees and every argument that has been submitted to me by the friends of the bill, but I can not bring myself to believe that the permanent welfare of the communities affected by it will be promoted by its passage.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 9, 1890.*

To the House of Representatives:

I return herewith without my approval the bill (H. R. 5974) entitled "An act extending the time of payment to purchasers of land of the Omaha tribe of Indians in Nebraska, and for other purposes."

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

The United States holds the legal title of these lands, which have been sold for the benefit of the Omaha Indians to secure the unpaid purchase money, the time of payment of which it is proposed by this act to extend. There is no objection that I know of, either on the part of the United States or of the Indians, to the extension of the unpaid installments due from purchasers. This relief is probably due to the purchasers. The bill, however, contains the following provision:

> That all the lands the payment for which is hereby extended shall be subject to taxation in all respects by and in the State of Nebraska as if fully paid for and patents issued.

Now, while it is entirely proper that the interest of the purchasers in these lands should share the burdens of the communities in which the lands are located, the title of the United States and the beneficial interest of the Indians in the lands should not be subjected to sale for the delinquency of the purchasers in paying tax assessments levied upon the lands. The effect of the provision which has been quoted would, in my opinion, give to the purchaser at a tax sale a title superior to the lien of the Government for purchase money. The bill should have contained a proviso that only the interest of the purchasers from the Government could be sold for taxes, and that the tax sale should be subject to the lien of the United States for unpaid purchase money.

BENJ. HARRISON.

EXECUTIVE MANSION, *September 30, 1890.*

To the House of Representatives:

I return herewith without my approval the joint resolution (H. Res. No. 39) declaring the retirement of Captain Charles B. Stivers, of the United States Army, legal and valid, and that he is entitled as such officer to his pay.

Captain Stivers was dismissed the service summarily by order of the President on July 15, 1863. A subsequent examination into the causes leading to this action seems to have satisfied the President that an injustice had been done to the officer, and on the 11th day of August, 1863, an order was issued revoking the order of dismissal and restoring Captain Stivers to duty as an officer of the Army. On December 30, 1864, by a proper order from the War Department, after examination, Captain Stivers was placed upon the retired list of the Army.

The Supreme Court has decided in the case of The United States *vs.* Corson (114 U. S. Reports, 619):

First. That at the time of the issuance of the order of dismissal the President had authority under the law to summarily dismiss an officer, and that the effect of such an order was absolutely to separate the officer from the service.

Second. That having been thus separated from the service he could

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

not be restored except by nomination to the Senate and its advice and consent to the appointment.

Mr. Garland, as Attorney-General, gave an opinion to the Secretary of War in the case of Captain Stivers, based upon the decision of the Supreme Court to which I have referred, holding that Captain Stivers was not an officer on the retired list of the Army. The present Attorney-General, with whom I have conferred, takes the same view of the law. Indeed, the decision of the Supreme Court to which I have referred is so exactly in point that there can be no doubt as to the law of the case. It is undoubtedly competent for Congress by act or joint resolution to authorize the President, by and with the advice of the Senate, to appoint Captain Stivers to be a captain in the Army of the United States and to place him upon the retired list. It is also perfectly competent by suitable legislation for Congress to give to this officer the pay of his grade during the interval of time when he was improperly carried upon the army lists. But the joint resolution which I herewith return does not attempt to deal with the case in that way. It undertakes to declare that the retirement of Captain Stivers was legal and valid and that he always has been and is entitled to his pay as such officer. I do not think this is a competent method of giving the relief intended. The retirement under the law as it then existed was not legal and valid, as the highest judicial tribunal under the Constitution has declared, for the reason that Captain Stivers was not then an officer on the active list. That being so, it follows, of course, that he was not entitled to draw the pay of an office he did not hold.

The relief should have taken the form usual in such cases, which is to authorize the appointment of the officer to a place made for him on the retired list.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *October 1, 1890.*

I return to the Senate without my approval the bill (S. 473) "for the relief of the Portland Company, of Portland, Me."

This bill confers upon the Court of Claims jurisdiction to inquire into and determine how much certain steam machinery built for the United States under contract, and to be used in the vessels *Agawam* and *Pontoosuc*, cost the contractors over and above the contract price and any allowances for extra work which have been made, and requires the court to enter judgment in favor of the claimant for the excess of cost above such contract price and allowances.

The bill differs from others which have been presented to me, and one of which I have approved, in that it does not make the further allowance to the contractors contingent upon the fact that the additional expense was the result of the acts of the Government through its officers' causing delays and increased cost in the construction of the work.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

The bill in effect directs the court to ignore the contract entirely, except as payments under it are to be treated as credits, and to allow the contractors the cost of the work, and that without reference to their own negligence or want of skill in executing the work. There would seem to be no object in the Government's making a contract for work if the contract is only to be binding upon the parties in the event that the contractor realizes a profit.

I can not give my approval to the proposition applied here, which if allowed here should be given general application, that every contractor with the Government who during the early days of the war failed to realize, by reason of increase in the cost of labor and materials, a profit upon the contract shall now have access to the Court of Claims to recover upon the *quantum meruit* the cost of the work.

BENJ. HARRISON.

To the Senate: EXECUTIVE MANSION, *October 1, 1890.*

I return without my approval Senate bill No. 1857, "for the relief of Charles P. Chouteau, survivor of Chouteau, Harrison & Valle."

This claim has been once presented to the Court of Claims and fully heard. This bill authorizes a rehearing. I find upon examination that every fact connected with the case necessary to the determination of the question whether the claim should be appropriated for has already been found and stated by the Court of Claims in a published opinion. Judgment was given against the claimant upon the ground that a settlement had been made and a receipt given in full. If in the opinion of Congress this receipt, given under the circumstances which accompanied it, should not be held a bar to such further appropriation as is equitable, all the facts have been found that can be necessary to determine the question what further payment should be made to the contractors. There can be no reason, as it seems to me, for a retrial of the case in the Court of Claims in the absence of any showing of newly discovered evidence. The result would only differ from the result already obtained in that under the bill which I return the court would enter a judgment instead of a finding, and the judgment could only be paid after Congressional action.

The finding which has already been made, as I have said, is a complete basis for any such action as Congress may think should be taken in the premises.

BENJ. HARRISON.

To the Senate: EXECUTIVE MANSION, *October 1, 1890.*

I return without my approval the bill (S. 3830) "to prohibit bookmaking of any kind and pool selling in the District of Columbia for the purpose of gaming."

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

My objection to the bill is that it does not prohibit bookmaking and pool selling, but, on the contrary, expressly saves from the operation of its prohibitions and penalties the Washington Jockey Club "and any other regular organizations owning race tracks no less than 1 mile in length," etc.

If this form of gambling is to be prohibited, as I think it should be, the penalties should include all persons and all places.

BENJ. HARRISON.

PROCLAMATIONS.

By the President of the United States of America.

A PROCLAMATION.

Whereas it is provided in the act of Congress approved March 2, 1889, entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes"—

That this act shall take effect only upon the acceptance thereof and consent thereto by the different bands of the Sioux Nation of Indians, in manner and form prescribed by the twelfth article of the treaty between the United States and said Sioux Indians concluded April 29, 1868, which said acceptance and consent shall be made known by proclamation by the President of the United States, upon satisfactory proof presented to him that the same has been obtained in the manner and form required by said twelfth article of said treaty, which proof shall be presented to him within one year from the passage of this act; and upon failure of such proof and proclamation this act becomes of no effect and null and void.

And whereas satisfactory proof has been presented to me that the acceptance of and consent to the provisions of the said act by the different bands of the Sioux Nation of Indians have been obtained in manner and form as therein required:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested, do hereby make known and proclaim the acceptance of said act by the different bands of the Sioux Nation of Indians and the consent thereto by them as required by the act, and said act is hereby declared to be in full force and effect, subject to all the provisions, conditions, limitations, and restrictions therein contained.

All persons will take notice of the provisions of said act and of the conditions, limitations, and restrictions therein contained, and be governed accordingly.

I furthermore notify all persons to particularly observe that by said act certain tracts or portions of the Great Reservation of the Sioux Nation in the Territory of Dakota, as described by metes and bounds, are

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

set apart as separate and permanent reservations for the Indians receiving rations and annuities at the respective agencies therein named.

That any Indian receiving and entitled to rations and annuities at either of the agencies mentioned in this act at the time the same shall take effect, but residing upon any portion of said Great Reservation not included in either of the separate reservations herein established, may at his option, within one year from the time when this act shall take effect, and within one year after he has been notified of his said right of option, in such manner as the Secretary of the Interior shall direct, by recording his election with the proper agent at the agency to which he belongs, have the allotment to which he would be otherwise entitled on one of said separate reservations upon the land where such Indian may then reside.

That each member or the Ponca tribe of Indians now occupying a part of the old Ponca Reservation, within the limits of the said Great Sioux Reservation, shall be entitled to allotments upon said old Ponca Reservation in quantities as therein set forth, and that when allotments to the Ponca tribe of Indians and to such other Indians as allotments are provided for by this act shall have been made upon that portion of said reservation which is described in the act entitled "An act to extend the northern boundary of the State of Nebraska," approved March 28, 1882, the President shall, in pursuance of said act, declare that the Indian title is extinguished to all lands described in said act not so allotted hereunder, and thereupon all of said land not so allotted and included in said act of March 28, 1882, shall be open to settlement as provided in this act.

That protection is guaranteed to such Indians as may have taken allotments either within or without the said separate reservations under the provisions of the treaty with the Great Sioux Nation concluded April 29, 1868; and that provision is made in said act for the release of all title on the part of said Indians receiving rations and annuities on each separate reservation to the lands described in each of the other separate reservations, and to confirm in the Indians entitled to receive rations at each of said separate reservations, respectively, to their separate and exclusive use and benefit, all the title and interest of every name and nature secured to the different bands of the Sioux Nation by said treaty of April 29, 1868; and that said release shall not affect the title of any individual Indian to his separate allotment of land not included in any of said separate reservations, nor any agreement heretofore made with the Chicago, Milwaukee and St. Paul Railroad Company or the Dakota Central Railroad Company respecting certain lands for right of way, station grounds, etc., regarding which certain prior rights and privileges are reserved to and for the use of said railroad companies, respectively, upon the terms and conditions set forth in said act.

That it is therein provided that if any land in said Great Sioux Reservation is occupied and used by any religious society at the date of said

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

act for the purpose of missionary or educational work among the Indians, whether situate outside of or within the limits of any of the separate reservations, the same, not exceeding 160 acres in any one tract, shall be granted to said society for the purposes and upon the terms and conditions therein named; and

Subject to all the conditions and limitations in said act contained, it is therein provided that all the lands in the Great Sioux Reservation outside of the separate reservations described in said act, except American Island, Farm Island, and Niobrara Island, regarding which islands special provisions are therein made, and sections 16 and 36 in each township thereof (which are reserved for school purposes), shall be disposed of by the United States, upon the terms, at the price, and in the manner therein set forth, to actual settlers only, under the provisions of the homestead law (except section 2301 thereof) and under the law relating to town sites.

That section 23 of said act provides—

> That all persons who, between the 27th day of February, 1885, and the 17th day of April, 1885, in good faith entered upon or made settlements with intent to enter the same under the homestead or preemption laws of the United States upon any part of the Great Sioux Reservation lying east of the Missouri River, and known as the Crow Creek and Winnebago Reservation, which by the President's proclamation of date February 27, 1885, was declared to be open to settlement, and not included in the new reservation established by section 6 of this act, and who, being otherwise legally entitled to make such entries, located or attempted to locate thereon homestead, preemption, or town-site claims by actual settlement and improvement of any portion of such lands, shall for a period of ninety days after the proclamation of the President required to be made by this act have a right to reenter upon said claims and procure title thereto under the homestead or preemption laws of the United States and complete the same as required therein, and their said claims shall for such time have a preference over later entries; and when they shall have in other respects shown themselves entitled and shall have complied with the law regulating such entries, and, as to homesteads, with the special provisions of this act, they shall be entitled to have said lands, and patents therefor shall be issued as in like cases: *Provided*, That preemption claimants shall reside on their lands the same length of time before procuring title as homestead claimants under this act. The price to be paid for town-site entries shall be such as is required by law in other cases, and shall be paid into the general fund provided for by this act.

It is furthermore hereby made known that there has been and is hereby reserved from entry or settlement that tract of land now occupied by the agency and school buildings at the Lower Brulé Agency, to wit:

The west half of the southwest quarter of section 24, the east half of the southeast quarter of section 23, the west half of the northwest quarter of section 25, the east half of the northeast quarter of section 26, and the northwest fractional quarter of the southeast quarter of section 26, all in township 104 north of range 72 west of the fifth principal meridian.

That there is also reserved as aforesaid the following-described tract within which the Cheyenne River Agency, school, and certain other buildings are located, to wit: Commencing at a point in the center of the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

main channel of the Missouri River opposite Deep Creek, about 3 miles south of Cheyenne River; thence due west 5½ miles; thence due north to the Cheyenne River; thence down said river to the center of the main channel thereof to a point in the center of the Missouri River due east or opposite the mouth of said Cheyenne River; thence down the center of the main channel of the Missouri River to the place of beginning.

That in pursuance of the provisions contained in section 1 of said act the tract of land situate in the State of Nebraska and described in said act as follows, to wit: "Beginning at a point on the boundary line between the State of Nebraska and the Territory of Dakota where the range line between ranges 44 and 45 west of the sixth principal meridian, in the Territory of Dakota, intersects said boundary line; thence east along said boundary line 5 miles; thence due south 5 miles; thence due west 10 miles; thence due north to said boundary line; thence due east along said boundary line to the place of beginning," same is continued in a state of reservation so long as it may be needed for the use and protection of the Indians receiving rations and annuities at the Pine Ridge Agency.

Warning is hereby also expressly given to all persons not to enter or make settlement upon any of the tracts of land specially reserved by the terms of said act or by this proclamation, or any portion of any tracts of land to which any individual member of either of the bands of the Great Sioux Nation or the Ponca tribe of Indians shall have a preference right under the provisions of said act; and further, to in no wise interfere with the occupancy of any of said tracts by any of said Indians, or in any manner to disturb, molest, or prevent the peaceful possession of said tracts by them.

The surveys required to be made of the lands to be restored to the public domain under the provisions of the said act and as in this proclamation set forth will be commenced and executed as early as possible.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 10th day of February, A. D. 1890, and of the Independence of the United States the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas that portion of the Indian Territory commonly known as the Cherokee Strip or Outlet has been for some years in the occupancy of an association or associations of white persons under certain contracts

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

said to have been made with the Cherokee Nation, in the nature of a lease or leases for grazing purposes; and

Whereas an opinion has been given to me by the Attorney-General, concurring with the opinion given to my predecessor by the late Attorney-General, that whatever the right or title of said Cherokee Nation or of the United States to or in said lands may be, no right exists in said Cherokee Nation under the statutes of the United States to make such leases or grazing contracts, and that such contracts are wholly illegal and void; and

Whereas the continued use of said lands thereunder for grazing purposes is prejudicial to the public interests:

Now, therefore, I, Benjamin Harrison, President of the United States, do hereby proclaim and give notice—

First. That no cattle or live stock shall hereafter be brought upon said lands for herding or grazing thereon.

Second. That all cattle and other live stock now on said outlet must be removed therefrom not later than October 1, 1890, and so much sooner as said lands or any of them may be or become lawfully open to settlement by citizens of the United States; and that all persons connected with said cattle companies or associations must, not later than the time above indicated, depart from said lands.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 17th day of February, A. D. 1890, and of the Independence of the United States of America the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The following provisions of the laws of the United States are hereby published for the information of all concerned:

Section 1956, Revised Statutes, chapter 3, Title XXIII, enacts that—

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory or in the waters thereof; and every person guilty thereof shall for each offense be fined not less than $200 nor more than $1,000, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, found engaged in violation of this section shall be forfeited; but the Secretary of the Treasury shall have power to authorize the killing of any ~~such mink, marten,~~ sable, or other fur-bearing ~~animal~~, except ~~fur seals,~~ under such regulations as he may prescribe; and it shall be the duty of the Secretary to prevent the killing of any fur seal and to provide for the execution of the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

provisions of this section until it is otherwise provided by law, nor shall he grant any special privileges under this section.

* * * * * * *

Section 3 of the act entitled "An act to provide for the protection of the salmon fisheries of Alaska," approved March 2, 1889, provides that—

SEC. 3. That section 1956 of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Bering Sea, and it shall be the duty of the President at a timely season in each year to issue his proclamation, and cause the same to be published for one month in at least one newspaper (if any such there be) published at each United States port of entry on the Pacific coast, warning all persons against entering such waters for the purpose of violating the provisions of said section, and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

Now, therefore, I, Benjamin Harrison, President of the United States, pursuant to the above-recited statutes, hereby warn all persons against entering the waters of Bering Sea within the dominion of the United States for the purpose of violating the provisions of said section 1956, Revised Statutes; and I hereby proclaim that all persons found to be or have been engaged in any violation of the laws of the United States in said waters will be arrested and punished as above provided, and that all vessels so employed, their tackle, apparel, furniture, and cargoes, will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of March, 1890, and of the Independence of the United States the one hundred and fourteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

PROCLAMATION.

SEPTEMBER 19, 1890.

To whom it may concern:

Whereas it has been represented to me that by reason of the drought which has prevailed in the Indian Territory and in the adjoining States the execution of my proclamation of February 17, 1890, requiring the removal of all live stock from the Cherokee Outlet on or before October 1 would work great hardship and loss, not only to the owners of stock herded upon the strip, but to the owners of cattle in the adjoining States; and

Whereas the owners of all cattle now herded upon the outlet have submitted to me a proposition in writing whereby they agree to remove one-half of their stock from the outlet on or before November 1 and the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

residue thereof and all their property and employees on or before December 1 next, and to abandon all claims in said outlet:

Now, therefore, I, Benjamin Harrison, President of the United States, do give notice and proclaim that the time heretofore fixed for the removal of the live stock herded upon said outlet is extended to November 1 as to one-half thereof and to December 1 next as to the residue thereof and as to all property and employees.

BENJ. HARRISON.

By the President of the United States of America.

A PROCLAMATION.

Whereas it is provided in the act of Congress entitled "An act to extend the northern boundary of the State of Nebraska," approved March 28, 1882—

That the northern boundary of the State of Nebraska shall be, and hereby is, subject to the provisions hereinafter contained, extended so as to include all that portion of the Territory of Dakota lying south of the forty-third parallel of north latitude and east of the Keya Paha River and west of the main channel of the Missouri River; and when the Indian title to the lands thus described shall be extinguished the jurisdiction over said lands shall be, and hereby is, ceded to the State of Nebraska, and subject to all the conditions and limitations provided in the act of Congress admitting Nebraska into the Union, and the northern boundary of the State shall be extended to said forty-third parallel as fully and effectually as if said lands had been included in the boundaries of said State at the time of its admission to the Union; reserving to the United States the original right of soil in said lands and of disposing of the same: *Provided*, That this act, so far as jurisdiction is concerned, shall not take effect until the President shall by proclamation declare that the Indian title to said lands has been extinguished, nor shall it take effect until the State of Nebraska shall have assented to the provisions of this act; and if the State of Nebraska shall not by an act of its legislature consent to the provisions of this act within two years next after the passage hereof this act shall cease and be of no effect.

And whereas by section 13 of the act entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes," approved March 2, 1889, it is provided—

That when the allotments to the Ponca tribe of Indians and to such other Indians as allotments are provided for by this act shall have been made upon that portion of said reservation which is described in the act entitled "An act to extend the northern boundary of the State of Nebraska," approved March 28, 1882, the President shall, in pursuance of said act, declare that the Indian title is extinguished to all lands described in said act not so allotted hereunder, and thereupon all of said land not so allotted and included in said act of March 28, 1882, shall be open to settlement as provided in this act: *Provided*, That the allotments to Ponca and other Indians authorized by this act to be made upon the land described in the said act entitled "An act to extend the northern boundary of the State of Nebraska" shall be made within six months from the time this act shall take effect.

And whereas the State of Nebraska, by an act of its legislature approved May 23, 1882, entitled "An act declaring the assent of the State

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

of Nebraska to an act of Congress of the United States entitled 'An act to extend the northern boundary of the State of Nebraska,' approved March 28, 1882," assented to and accepted the provisions of said act of Congress approved March 28, 1882; and

Whereas allotments have been made to the Ponca tribe of Indians under and in accordance with the provisions of said section 13 of the act of March 2, 1889, and no other Indians having selected or applied for allotments upon that portion of the reservation of the Sioux Nation of Indians described in the act of March 28, 1882, aforesaid, and the six months' limit of time within which said allotments were authorized to be made having expired on the 10th day of August, 1890:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by the act (section 13) of March 2, 1889, aforesaid, and in pursuance of the act of March 28, 1882, aforesaid, do hereby declare that the Indian title is extinguished to all lands described in said act of March 28, 1882, not allotted to the Ponca tribe of Indians as aforesaid and shown upon a schedule, in duplicate, of allotments made and certified jointly by George P. Litchfield, United States special agent, and James E. Helms, United States Indian agent, July 31, 1890, and approved by the Acting Commissioner of Indian Affairs October 14, 1890, and by the Acting Secretary of the Interior October 22, 1890, one copy of which schedule of allotments is now on file in the office of the Commissioner of Indian Affairs and the other in the office of the Commissioner of the General Land Office, Department of the Interior.

Be it known, however, that there is hereby reserved from entry or settlement that tract of land now occupied by the agency and school buildings of the old Ponca Agency, to wit: The south half of the southeast quarter of section 26 and the south half of the southwest quarter of section 25, all in township 32 north, range 7 west of the sixth principal meridian.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 23d day of October, A. D. 1890, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

ALVEY A. ADEE, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

By the grace and favor of Almighty God the people of this nation have been led to the closing days of the passing year, which has been full of the blessings of peace and the comforts of plenty. Bountiful

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

compensation has come to us for the work of our minds and of our hands in every department of human industry.

Now, therefore, I, Benjamin Harrison, President of the United States of America, do hereby appoint Thursday, the 27th day of the present month of November, to be observed as a day of prayer and thanksgiving; and I do invite the people upon that day to cease from their labors, to meet in their accustomed houses of worship, and to join in rendering gratitude and praise to our beneficent Creator for the rich blessings He has granted to us as a nation and in invoking the continuance of His protection and grace for the future. I commend to my fellow-citizens the privilege of remembering the poor, the homeless, and the sorrowful. Let us endeavor to merit the promised recompense of charity and the gracious acceptance of our praise.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 8th day of November, A. D. 1890, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an act of Congress in regard to collision at sea was approved September 4, 1890, the said act being in the following words:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in every case of collision between two vessels it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which and to which she is bound. If he fails so to do, and no reasonable cause for such failure is shown, the collision shall, in the absence of proof to the contrary, be deemed to have been caused by his wrongful act, neglect, or default.

SEC. 2. That every master or person in charge of a United States vessel who fails, without reasonable cause, to render such assistance or give such information as aforesaid shall be deemed guilty of a misdemeanor, and shall be liable to a penalty of $1,000 or imprisonment for a term not exceeding two years; and for the above sum the vessel shall be liable and may be seized and proceeded against by process in any district court of the United States by any person; one-half such sum to be payable to the informer and the other half to the United States.

SEC. 3. That this act shall take effect at a time to be fixed by the President by proclamation issued for that purpose.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

And whereas it is provided by section 3 of the said act that it shall take effect at a time to be fixed by the President by proclamation issued for that purpose:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do hereby, in virtue of the authority vested in me by section 3 of the said act, proclaim the 15th day of December, 1890, as the day on which the said act shall take effect.

In testimony whereof I have hereunto set my hand and caused the seal of the United States of America to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of November, A. D. 1890, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

EXECUTIVE ORDERS.

AMENDMENT OF CIVIL-SERVICE RULES.

Special Departmental Rule No. 1 is hereby amended so as to include among the exceptions from examination in the Department of Agriculture the following:

Scientific or professional experts to be employed in investigations specially authorized by Congress, but not to include any persons regularly employed in that Department nor any persons whose duties are not scientific or professional, and who are not experts in the particular line of scientific or professional inquiry in which they are to be employed.

Approved, January 29, 1890.

BENJ. HARRISON.

AMENDMENTS OF CIVIL-SERVICE RULES.

Section 1 of Postal Rule II is hereby amended by adding to the subjects of the clerk examination the following: "Reading addresses and physical tests;" and to the subjects of carrier examination the following: "Reading addresses."

Approved, January 29, 1890.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

Special Customs Rule No. 1 is hereby amended by adding thereto the following:

In the customs district of New York: Detectives employed exclusively as such.

Approved, March 10, 1890.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

AMENDMENT OF CIVIL-SERVICE RULES.

That part of Special Departmental Rule No. 1 relating to the Coast and Geodetic Survey, as printed on page 66 of the Fifth Annual Report of the Commission, is hereby amended by striking out in line 3, after the word "to," the words "general office assistant," and inserting in lieu thereof the words "assistant in charge of office and topography;" so that as amended the clause will read: "confidential clerk to assistant in charge of office and topography."

Approved, March 10, 1890.

BENJ. HARRISON.

AMENDMENTS OF CIVIL-SERVICE RULES.

MARCH 28, 1890.

Departmental Rule VII is hereby amended by adding thereto the following section, to be numbered 7:

7. In case of temporary absence, from sickness or other unavoidable cause, of clerks, copyists, or employees of other grades for which examinations are held, there may be certified in the manner provided for in this rule, and employed under such regulations as the heads of the several Departments shall prescribe, substitutes for such clerks, copyists, or other employees so absent; and such substitutes so employed in any Department shall be appointed in the order of their employment as substitutes to the regular grades of that Department without further certification as vacancies to which they are eligible may occur therein while so employed as substitutes, every such appointment to be at once reported to the Commission: *Provided*, That no person while employed as a substitute in one Department shall be certified as a substitute to any other Department, and that no person employed as a substitute shall by reason of such employment be deprived of any right of certification for a regular place to which he may be entitled under the rules: *And provided further*, That service rendered as a substitute shall not be ground for reinstatement under Departmental Rule X. The time during which any substitute who shall be appointed to a regular place is actually employed as such shall be counted as a part of his period of probation. No substitute shall be employed in any Department otherwise than as herein provided.

Special Departmental Rule No. 2 is hereby revoked.

BENJ. HARRISON.

[From McPherson's Hand Book of Politics for 1890.]

EXECUTIVE MANSION, *April 24, 1890.*

To the Attorney-General:

I have had frequent occasion during the last six months to confer with you in reference to the obstructions offered in the counties of Leon, Gadsden, Madison, and Jefferson, in the State of Florida, to the execution of the process of the courts of the United States. It is not necessary to

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

say more of the situation than that the officers of the United States are not suffered freely to exercise their lawful functions. This condition of things can not be longer tolerated. You will therefore instruct United States Marshal Weeks as soon as he has qualified to proceed at once to execute such writs of arrest as may be placed in his hands. If he apprehends resistance, he will employ such civil posse as may seem adequate to discourage resistance or to overcome it. He should proceed with calmness and moderation, which should always attend a public officer in the execution of his duty, and at the same time with a firmness and courage that will impress the lawless with a wholesome sense of the dangers and futility of resistance. You will assure the officers of the law and those who have foolishly and wickedly thought to set the law at defiance that every resource lodged with the Executive by the Constitution and the laws will as the necessity arises be employed to make it safe and feasible to hold a Federal commission and to execute the duties it imposes.

Very respectfully,

BENJ. HARRISON.

By the President of the United States.

EXECUTIVE ORDER.

EXECUTIVE MANSION, *May 27, 1890.*

It is hereby ordered, That the several Executive Departments and the Government Printing Office be closed on Friday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers and sailors who fell in defense of the Union during the War of the Rebellion.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., May 31, 1890.

The PRESIDENT.

SIR: This Commission has the honor to recommend that Special Departmental Rule No. 1 be amended by adding to the exceptions from examination therein declared the following:

"In the Department of the Treasury, in the life-saving service: Topographer and hydrographer."

We have the honor to be, your obedient servants,

CHAS. LYMAN,
THEODORE ROOSEVELT,
HUGH S. THOMPSON,
United States Civil Service Commissioners.

Approved, June 3, 1890.

BENJ HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION,
*Washington, July 14, 1890.**

The death of John C. Frémont, a major-general on the retired list of the Army of the United States, is an event calling for some appropriate expression of the national sorrow and of a grateful appreciation of his public services. His career was full of adventurous and useful discovery and of devoted and conspicuous service both in civil and military affairs. He opened the passes of the Rocky Mountains and gave value to his discoveries by aiding to create an American State on the Pacific Coast.

It is therefore ordered, That the national flag be displayed at half-mast upon all the buildings of the Executive Departments in this city until after the funeral shall have taken place.

By direction of the President:

E. W. HALFORD,
Private Secretary.

AMENDMENTS OF CIVIL-SERVICE RULES.

Departmental Rule VIII, section 1, clause (*b*), is hereby amended by inserting after the word "transacted" the following: "and from the office of the Solicitor of the Treasury;" and after the word "Department" where it last occurs the following: "or to said office;" so that as amended the clause will read:

(*b*) From a bureau of the Treasury Department in which business relating to the customs is transacted and from the office of the Solicitor of the Treasury to a classified customs district, and from such a district to such a bureau of the Treasury Department or to said office, upon requisition by the Secretary of the Treasury.

Approved, July 23, 1890.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

JULY 30, 1890.

Special Departmental Rule No. 1 is hereby amended by adding to the places excepted from examination in the Department of Agriculture the following:

Wood engravers.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

SEPTEMBER 2, 1890.

Special Departmental Rule No. 1 is hereby amended by adding to the places excepted from examination therein the following:

In the Post-Office Department, office of the Postmaster-General: Stenographer as confidential clerk to the chief post-office inspector.

BENJ. HARRISON.

*Addressed to the heads of the Executive Departments, etc.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

AMENDMENT OF CIVIL-SERVICE RULES.

OCTOBER 31, 1890.

Section 7 of Railway Mail Rule IV is hereby amended by inserting in line 7, after the word "days," the following: "or until the emergency ceases."

BENJ. HARRISON.

SECOND ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 1, 1890.*

To the Senate and House of Representatives:

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

The vast and increasing business of the Government has been transacted by the several Departments during the year with faithfulness, energy, and success.

The revenues, amounting to above $450,000,000, have been collected and disbursed without revealing, so far as I can ascertain, a single case of defalcation or embezzlement. An earnest effort has been made to stimulate a sense of responsibility and public duty in all officers and employees of every grade, and the work done by them has almost wholly escaped unfavorable criticism. I speak of these matters with freedom because the credit of this good work is not mine, but is shared by the heads of the several Departments with the great body of faithful officers and employees who serve under them. The closest scrutiny of Congress is invited to all the methods of administration and to every item of expenditure.

The friendly relations of our country with the nations of Europe and of the East have been undisturbed, while the ties of good will and common interest that bind us to the States of the Western Hemisphere have been notably strengthened by the conference held in this capital to consider measures for the general welfare. Pursuant to the invitation authorized by Congress, the representatives of every independent State of the American continent and of Hayti met in conference in this capital in October, 1889, and continued in session until the 19th of last April. This important convocation marks a most interesting and influential epoch in the history of the Western Hemisphere. It is noteworthy that Brazil, invited while under an imperial form of government, shared as a

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

republic in the deliberations and results of the conference. The recommendations of this conference were all transmitted to Congress at the last session.

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

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

Toward the end of the past year the only independent monarchical government on the Western Continent, that of Brazil, ceased to exist, and was succeeded by a republic. Diplomatic relations were at once established with the new Government, but it was not completely recognized until an opportunity had been afforded to ascertain that it had popular approval and support. When the course of events had yielded assurance of this fact, no time was lost in extending to the new Government a full and cordial welcome into the family of American Commonwealths. It is confidently believed that the good relations of the two countries will be preserved and that the future will witness an increased intimacy of intercourse and an expansion of their mutual commerce.

The peace of Central America has again been disturbed through a revolutionary change in Salvador, which was not recognized by other States, and hostilities broke out between Salvador and Guatemala, threatening to involve all Central America in conflict and to undo the progress which had been made toward a union of their interests. The efforts of this Government were promptly and zealously exerted to compose their differences,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

and through the active efforts of the representative of the United States a provisional treaty of peace was signed August 26, whereby the right of the Republic of Salvador to choose its own rulers was recognized. General Ezeta, the chief of the Provisional Government, has since been confirmed in the Presidency by the Assembly, and diplomatic recognition duly followed.

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

The Nicaragua Canal project, under the control of our citizens, is making most encouraging progress, all the preliminary conditions and initial operations having been accomplished within the prescribed time.

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

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

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

In pursuance of the concurrent resolution of October 1, 1890, I have proposed to the Governments of Mexico and Great Britain to consider a

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

conventional regulation of the passage of Chinese laborers across our southern and northern frontiers.

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

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

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

The new treaty of extradition with Great Britain, after due ratification, was proclaimed on the 25th of last March. Its beneficial working is already apparent.

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

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

An award in favor of the United States in the matter of the claim of Mr. Van Bokkelen against Hayti was rendered on the 4th of December,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

1888, but owing to disorders then and afterwards prevailing in Hayti the terms of payment were not observed. A new agreement as to the time of payment has been approved and is now in force. Other just claims of citizens of the United States for redress of wrongs suffered during the late political conflict in Hayti will, it is hoped, speedily yield to friendly treatment.

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

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

In this connection I may refer with approval to the suggestion of my predecessors that standing provision be made for accepting, whenever deemed advisable, the frequent invitations of foreign governments to share in conferences looking to the advancement of international reforms in regard to science, sanitation, commercial laws and procedure, and other matters affecting the intercourse and progress of modern communities.

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

maintain the present and long-existing friendly relations between Japan and the United States will be effected.

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

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

The revenues of the Government from all sources for the fiscal year ending June 30, 1890, were $463,963,080.55 and the total expenditures for the same period were $358,618,584.52. The postal receipts have not heretofore been included in the statement of these aggregates, and for the purpose of comparison the sum of $60,882,097.92 should be deducted from both sides of the account. The surplus for the year, including the amount applied to the sinking fund, was $105,344,496.03. The receipts for 1890 were $16,030,923.79 and the expenditures $15,739,871 in excess of those of 1889. The customs receipts increased $5,835,842.88 and the receipts from internal revenue $11,725,191.89, while on the side of expenditures that for pensions was $19,312,075.96 in excess of the preceding year.

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

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

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

While it has not been thought best to renew formally the suggestion of an international conference looking to an agreement touching the full use of silver for coinage at a uniform ratio, care has been taken to observe closely any change in the situation abroad, and no favorable opportunity

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

will be lost to promote a result which it is confidently believed would confer very large benefits upon the commerce of the world.

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

surely not be claimed by any well-disposed people that a remedy may be sought and allowed in a system of quasi smuggling.

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

The results attained by a reorganization and consolidation of the divisions having charge of the hospital and service records of the volunteer soldiers are very remarkable. This change was effected in July, 1889, and at that time there were 40,654 cases awaiting attention, more than half of these being calls from the Pension Office for information necessary to the adjudication of pension claims. On the 30th day of June last, though over 300,000 new calls had come in, there was not a single case that had not been examined and answered.

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

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

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

A vigorous and in the main an effective effort has been made to bring to trial and punishment all violators of the law, but at the same time care has been taken that frivolous and technical offenses should not be used to swell the fees of officers or to harass well-disposed citizens. Especial attention is called to the facts connected with the prosecution of violations of the election laws and of offenses against United States officers. The number of convictions secured, very many of them upon pleas of guilty, will, it is hoped, have a salutary restraining influence. There have been several cases where postmasters appointed by me have been subjected to violent interference in the discharge of their official duties and to persecutions and personal violence of the most extreme character. Some of these cases have been dealt with through the Department of Justice, and in some cases the post-offices have been abolished or suspended. I have directed the Postmaster-General to pursue this course in all cases where other efforts failed to secure for any postmaster not

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

himself in fault an opportunity peacefully to exercise the duties of his office. But such action will not supplant the efforts of the Department of Justice to bring the particular offenders to punishment.

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

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

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

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

The construction and equipment of the new ships for the Navy have made very satisfactory progress. Since March 4, 1889, nine new vessels have been put in commission, and during this winter four more, including one monitor, will be added. The construction of the other vessels

*See pp. 93–94.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

authorized is being pushed both in the Government and private yards with energy and watched with the most scrupulous care.

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

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

The several acts of Congress looking to the reduction of the larger Indian reservations, to the more rapid settlement of the Indians upon individual allotments, and the restoration to the public domain of lands in excess of their needs have been largely carried into effect so far as the work was confided to the Executive. Agreements have been concluded since March 4, 1889, involving the cession to the United States of about 14,726,000 acres of land. These contracts have, as required by law, been submitted to Congress for ratification and for the appropriations necessary to carry them into effect. Those with the Sisseton and Wahpeton, Sac and Fox, Iowa, Pottawatomies and Absentee Shawnees, and Cœur d'Alene tribes have not yet received the sanction of Congress. Attention is also called to the fact that the appropriations made in the case of the Sioux Indians have not covered all the stipulated payments. This should be promptly corrected. If an agreement is confirmed, all of its terms should be complied with without delay and full appropriations should be made.

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

The disability-pension act, which was approved on the 27th of June last, has been put into operation as rapidly as was practicable. The increased clerical force provided was selected and assigned to work, and

*See p. 49.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

a considerable part of the force engaged in examinations in the field was recalled and added to the working force of the office. The examination and adjudication of claims have by reason of improved methods been more rapid than ever before. There is no economy to the Government in delay, while there is much hardship and injustice to the soldier. The anticipated expenditure, while very large, will not, it is believed, be in excess of the estimates made before the enactment of the law. This liberal enlargement of the general law should suggest a more careful scrutiny of bills for special relief, both as to the cases where relief is granted and as to the amount allowed.

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

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

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

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

At the last session I had occasion to return with my objections several bills making provisions for the erection of public buildings for the reason that the expenditures contemplated were, in my opinion, greatly in excess of any public need. No class of legislation is more liable to abuse or to degenerate into an unseemly scramble about the public Treasury

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

than this. There should be exercised in this matter a wise economy, based upon some responsible and impartial examination and report as to each case, under a general law.

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

A very substantial improvement in the market prices of the leading farm products during the year is noticed. The price of wheat advanced from 81 cents in October, 1889, to $1.00¾ in October, 1890; corn from 31 cents to 50¼ cents; oats from 19¼ cents to 43 cents, and barley from 63 cents to 78 cents. Meats showed a substantial but not so large an increase. The export trade in live animals and fowls shows a very large increase. The total value of such exports for the year ending June 30, 1890, was $33,000,000, and the increase over the preceding year was over $15,000,000. Nearly 200,000 more cattle and over 45,000 more hogs were exported than in the preceding year. The export trade in beef and pork products and in dairy products was very largely increased, the increase in the article of butter alone being from 15,504,978 pounds to 29,748,042 pounds, and the total increase in the value of meat and dairy products exported being $34,000,000. This trade, so directly helpful to the farmer, it is believed, will be yet further and very largely increased when the system of inspection and sanitary supervision now provided by law is brought fully into operation.

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

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

The Secretary of the Treasury concurs in the recommendation of the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

I congratulate the Congress and the country upon the passage at the first session of the Fifty-first Congress of an unusual number of laws of very high importance. That the results of this legislation will be the quickening and enlargement of our manufacturing industries, larger and better markets for our breadstuffs and provisions both at home and abroad, more constant employment and better wages for our working people, and an increased supply of a safe currency for the transaction of business, I do not doubt. Some of these measures were enacted at so late a period that the beneficial effects upon commerce which were in the contemplation of Congress have as yet but partially manifested themselves.

The general trade and industrial conditions throughout the country during the year have shown a marked improvement. For many years prior to 1888 the merchandise balances of foreign trade had been largely in our favor, but during that year and the year following they turned against us. It is very gratifying to know that the last fiscal year again shows a balance in our favor of over $68,000,000. The bank clearings, which furnish a good test of the volume of business transacted, for the first ten months of the year 1890 show as compared with the same months of 1889 an increase for the whole country of about 8.4 per cent, while the increase outside of the city of New York was over 13 per cent. During the month of October the clearings of the whole country showed an increase of 3.1 per cent over October, 1889, while outside of New York the increase was 11.5 per cent. These figures show that the increase in the volume of business was very general throughout the country. That this larger business was being conducted upon a safe and profitable basis is shown by the fact that there were 300 less failures reported in October, 1890, than in the same month of the preceding year, with liabilities diminished by about $5,000,000.

The value of our exports of domestic merchandise during the last year was over $115,000,000 greater than the preceding year, and was only exceeded once in our history. About $100,000,000 of this excess was in agricultural products. The production of pig iron, always a good gauge of general prosperity, is shown by a recent census bulletin to have been 153 per cent greater in 1890 than in 1880, and the production of steel 290 per cent greater. Mining in coal has had no limitation except that resulting from deficient transportation. The general testimony is that labor is everywhere fully employed, and the reports for the last year show a

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

smaller number of employees affected by strikes and lockouts than in any year since 1884. The depression in the prices of agricultural products had been greatly relieved and a buoyant and hopeful tone was beginning to be felt by all our people.

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

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

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

The misinformation as to the terms of the act which has been so widely disseminated at home and abroad will be corrected by experience, and the evil auguries as to its results confounded by the market reports, the savings banks, international trade balances, and the general prosperity of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

In many of the products of wood and iron and in meats and breadstuffs we have advantages that only need better facilities of intercourse and transportation to secure for them large foreign markets. The reci-

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

*See pp. 56–58.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

The bill for the relief of the Supreme Court has after many years of

*See pp. 70–71.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

It may still be possible for this Congress to inaugurate by suitable legislation a movement looking to uniformity and increased safety in the use of couplers and brakes upon freight trains engaged in interstate commerce. The chief difficulty in the way is to secure agreement as to the best appliances, simplicity, effectiveness, and cost being considered. This difficulty will only yield to legislation, which should be based upon full inquiry and impartial tests. The purpose should be to secure the cooperation of all well-disposed managers and owners; but the fearful fact that every year's delay involves the sacrifice of 2,000 lives and the maiming of 20,000 young men should plead both with Congress and the managers against any needless delay.

The subject of the conservation ~~and equal~~ distribution of the ~~water~~ supply of the arid regions has had much attention from Congress, but has not as yet been put upon a permanent and satisfactory basis. The

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

urgency of the subject does not grow out of any large present demand for the use of these lands for agriculture, but out of the danger that the water supply and the sites for the necessary catch basins may fall into the hands of individuals or private corporations and be used to render subservient the large areas dependent upon such supply. The owner of the water is the owner of the lands, however the titles may run. All unappropriated natural water sources and all necessary reservoir sites should be held by the Government for the equal use at fair rates of the homestead settlers who will eventually take up these lands. The United States should not, in my opinion, undertake the construction of dams or canals, but should limit its work to such surveys and observations as will determine the water supply, both surface and subterranean, the areas capable of irrigation, and the location and storage capacity of reservoirs. This done, the use of the water and of the reservoir sites might be granted to the respective States or Territories or to individuals or associations upon the condition that the necessary works should be constructed and the water furnished at fair rates without discrimination, the rates to be subject to supervision by the legislatures or by boards of water commissioners duly constituted. The essential thing to be secured is the common and equal use at fair rates of the accumulated water supply. It were almost better that these lands should remain arid than that those who occupy them should become the slaves of unrestrained monopolies controlling the one essential element of land values and crop results.

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

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

In my last annual message I suggested that the development of the existing law providing a Federal supervision of Congressional elections

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

offered an effective method of reforming these abuses.* The need of such a law has manifested itself in many parts of the country, and its wholesome restraints and penalties will be useful in all. The constitutionality of such legislation has been affirmed by the Supreme Court. Its probable effectiveness is evidenced by the character of the opposition that is made to it. It has been denounced as if it were a new exercise of Federal power and an invasion of the rights of States. Nothing could be further from the truth. Congress has already fixed the time for the election of members of Congress. It has declared that votes for members of Congress must be by written or printed ballot; it has provided for the appointment by the circuit courts in certain cases, and upon the petition of a certain number of citizens, of election supervisors, and made it their duty to supervise the registration of voters conducted by the State officers; to challenge persons offering to register; to personally inspect and scrutinize the registry lists, and to affix their names to the lists for the purpose of identification and the prevention of frauds; to attend at elections and remain with the boxes till they are all cast and counted; to attach to the registry lists and election returns any statement touching the accuracy and fairness of the registry and election, and to take and transmit to the Clerk of the House of Representatives any evidence of fraudulent practices which may be presented to them. The same law provides for the appointment of deputy United States marshals to attend at the polls, support the supervisors in the discharge of their duties, and to arrest persons violating the election laws. The provisions of this familiar title of the Revised Statutes have been put into exercise by both the great political parties, and in the North as well as in the South, by the filing with the court of the petitions required by the law.

It is not, therefore, a question whether we shall have a Federal election law, for we now have one and have had for nearly twenty years, but whether we shall have an effective law. The present law stops just short of effectiveness, for it surrenders to the local authorities all control over the certification which establishes the *prima facie* right to a seat in the House of Representatives. This defect should be cured. Equality of representation and the parity of the electors must be maintained or everything that is valuable in our system of government is lost. The qualifications of an elector must be sought in the law, not in the opinions, prejudices, or fears of any class, however powerful. The path of the elector to the ballot box must be free from the ambush of fear and the enticements of fraud; the count so true and open that none shall gainsay it. Such a law should be absolutely nonpartisan and impartial. It should give the advantage to honesty and the control to majorities. Surely there is nothing sectional about this creed, and if it shall happen that the penalties of laws intended to enforce these rights fall here and not there it is not because the law is sectional, but because, happily,

* See p. 56.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

crime is local and not universal. Nor should it be forgotten that every law, whether relating to elections or to any other subject, whether enacted by the State or by the nation, has force behind it; the courts, the marshal or constable, the *posse comitatus*, the prison, are all and always behind the law.

One can not be justly charged with unfriendliness to any section or class who seeks only to restrain violations of law and of personal right. No community will find lawlessness profitable. No community can afford to have it known that the officers who are charged with the preservation of the public peace and the restraint of the criminal classes are themselves the product of fraud or violence. The magistrate is then without respect and the law without sanction. The floods of lawlessness can not be leveed and made to run in one channel. The killing of a United States marshal carrying a writ of arrest for an election offense is full of prompting and suggestion to men who are pursued by a city marshal for a crime against life or property.

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

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

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

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 4, 1890.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 3d instant from the Secretary of the Interior, accompanied by an agreement concluded by the Cherokee Commission with the Cheyenne and Arapahoe tribes of Indians for the cession of certain lands and for other purposes.

The agreement is submitted for the consideration of Congress, as required by law.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 5, 1890.*

To the House of Representatives:

I transmit herewith, in response to the resolution of the House of Representatives of the 24th of September last, a report of the Secretary of State and accompanying correspondence, in relation to the killing of General J. Martine Barrundia by Guatemalan officers on board the Pacific mail steamer *Acapulco* in the port of San Jose, Guatemala, on the 28th of August last.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 17, 1890.*

To the Senate and House of Representatives:

I herewith transmit a communication from the Secretary of State, in relation to a report upon the subject of cholera made by Dr. E. O. Shakespeare pursuant to the act of Congress approved March 3, 1885.

BENJ. HARRISON

EXECUTIVE MANSION, *December 17, 1890.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Navy, accompanied by a letter from the secretary of the American Society of Mechanical Engineers, who transmits a memorial, addressed to the Government of the United States, in relation to the late Captain John Ericsson.

The matter is presented for such action as the Congress may deem proper.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 17, 1890.*

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of War, accompanied by a copy of a preliminary report of the board on gun factories and steel

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

forgings for high-power guns, appointed by me under the provisions of an act entitled "An act making appropriations for fortifications," etc., approved August 18, 1890.

The report and accompanying papers are submitted for the information and early attention of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 22, 1890.*

To the Senate and House of Representatives:

I transmit herewith a letter of the 18th instant from the Secretary of the Interior, in relation to the disposition of timber on certain Chippewa reservations in Wisconsin, together with copies of papers relating thereto.

The matter is presented for the action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1890.*

To the Senate and House of Representatives:

The Territorial legislature of Oklahoma, now in session, will adjourn by limitation of law on to-morrow, the 24th instant. The act organizing the Territory provided (section 11) that certain chapters of the revised statutes of Nebraska should be in force until after the adjournment of the first session of the Territorial legislature.

The question of the location of the Territorial capital has so occupied the time of the legislature and so distracted and divided its members that no criminal code has been provided. It is urgently necessary that Congress should at once, by joint resolution or otherwise, continue the laws of Nebraska in force, and save pending criminal arrests and prosecutions at least. The reconvening of the legislature does not under the existing circumstances promise any relief.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1890.*

To the Senate and House of Representatives:

I transmit herewith a letter of the Secretary of the Navy, accompanied by the report of the commission appointed by me by virtue of a provision in the naval appropriation bill approved June 30, 1890, for the purpose of selecting a suitable site "for a dry dock at some point on the shores of the Pacific Ocean, or the waters connected therewith, north of the parallel of latitude marking the northern boundary of California, including the waters of Puget Sound and also Lakes Union and Washington, in the State of Washington."

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *January 5, 1891.*

To the House of Representatives:

In further response to the resolution of the House of Representatives requesting me, if in my judgment not incompatible with the public interest, to furnish to the House the correspondence since March 4, 1889, between the Government of the United States and the Government of Great Britain touching the subjects in dispute in the Bering Sea, I transmit herewith a letter from the Secretary of State, which is accompanied by the correspondence which has taken place since my message of July 23, 1890.*

BENJ. HARRISON.

EXECUTIVE MANSION, *January 10, 1891.*

To the Senate and House of Representatives:

I transmit herewith a memorial of the legislative assembly of the Territory of Oklahoma, asking an appropriation for the relief of the destitute people of that Territory.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 16, 1891.*

To the Senate and House of Representatives:

I transmit herewith the report of the World's Columbian Commission, with the accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 19, 1891.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 17th instant from the Secretary of the Interior, submitting the agreement entered into between the Crow Indians and the commission appointed to negotiate with them for the sale to the United States of the western portion of their reservation in Montana under the provisions of the act of September 25, 1890.

It is thought important by the Department that this matter receive the consideration of Congress during the present session.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 26, 1891.*

To the Senate and House of Representatives:

I transmit herewith a letter of the Secretary of War, accompanied by the final report of the board on gun factories and steel forgings for high-power guns, and appendixes thereto.

BENJ. HARRISON.

* See p. 80.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *January 26, 1891.*

To the Senate and House of Representatives:

I transmit herewith a letter of the Secretary of the Interior, accompanied by a letter from the Commissioner of Indian Affairs, who transmits a draft of a bill for compensating the Indians of the Crow Creek Reservation for the loss sustained by them by reason of their receiving less land per capita in their diminished reservations than is to be received by Indians occupying other diminished reservations.

The matter is presented for the early consideration of the Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 31, 1891.*

To the Senate and House of Representatives:

The sudden death of the Hon. William Windom, Secretary of the Treasury, in New York, on the evening of the 29th instant, has directed my attention to the present state of the law as to the filling of a vacancy occasioned by the death of the head of a Department.

I transmit herewith an opinion of the Attorney-General, from which it will be seen that under the statutes in force no officer in the Treasury Department or other person designated by me can exercise the duties of Secretary of the Treasury for a longer period than ten days. This limitation is, I am sure, unwise, and necessarily involves in such a case as that now presented undue haste and even indelicacy. The President should not be required to take up the question of the selection of a successor before the last offices of affection and respect have been paid to the dead. If the proprieties of an occasion as sad as that which now overshadows us are observed, possibly one-half of the brief time allowed is gone before, with due regard to the decencies of life, the President and those with whom he should advise can take up the consideration of the grave duty of selecting a head for one of the greatest Departments of the Government.

Hasty action by the Senate is also necessarily involved, and geographical limitations are practically imposed by the necessity of selecting some one who can reach the capital and take the necessary oath of office before the expiration of the ten days.

It may be a very proper restriction of the power of the President in this connection that he shall not designate for any great length of time a person to discharge these important duties who has not been confirmed by the Senate, but there would seem to be no reason why one of the assistant secretaries of the Department wherein the vacancy exists might not discharge the duties of Secretary until a successor is selected, confirmed, and qualified. The inconvenience of this limitation was made apparent at the time of the death of Secretary Folger. President Arthur in that case allowed one of the assistant secretaries, who had been designated to

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

act in the absence of the Secretary, to continue in the discharge of such duties for ten days, then designated the same person to discharge the duties for a further term of ten days, and then made a temporary appointment as Secretary, in order to secure the consideration that he needed in filling this important place.

I recommend such a modification of the existing law as will permit the first or sole assistant, or, in the case of the Treasury Department, where the assistants are not graded, that one who may be designated by the President, to discharge the duties of the head of the Department until a successor is appointed and qualified.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 10, 1891.*

To the Senate:

I transmit herewith the correspondence called for by the resolution of the Senate of the 6th instant, relating to the conduct of Commander Reiter in connection with the arrest and killing of General Barrundia.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 13, 1891.*

To the Senate and House of Representatives:

The Admiral of the Navy, David Dixon Porter, died at his residence in the city of Washington this morning at 8.15 o'clock, in the seventy-eighth year of his age. He entered the naval service as a midshipman February 2, 1829, and had been since continuously in service, having been made Admiral August 15, 1870. He was the son of Commodore David Porter, one of the greatest of our naval commanders. His service during the Civil War was conspicuously brilliant and successful, and his death ends a very high and honorable career. His countrymen will sincerely mourn his loss while they cherish with grateful pride the memory of his deeds. To officers of the Navy his life will continue to yield inspiration and encouragement.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., February 14, 1891.

To the Senate and House of Representatives:

I transmit herewith the sixth annual report of the Commissioner of Labor. This report relates to the cost of producing iron and steel and the materials of which iron is made in the United States and in Europe, and the earnings, the efficiency, and the cost of living of the men employed in such production.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *February 14, 1891.*

To the Senate and House of Representatives:

The death of William Tecumseh Sherman, which took place to-day at his residence in the city of New York, at 1 o'clock and 50 minutes p. m., is an event that will bring sorrow to the heart of every patriotic citizen. No living American was so loved and venerated as he. To look upon his face, to hear his name, was to have one's love of country intensified. He served his country, not for fame, not out of a sense of professional duty, but for love of the flag and of the beneficent civil institutions of which it was the emblem. He was an ideal soldier, and shared to the fullest the *esprit de corps* of the Army; but he cherished the civil institutions organized under the Constitution, and was a soldier only that these might be perpetuated in undiminished usefulness and honor. He was in nothing an imitator.

A profound student of military science and precedent, he drew from them principles and suggestions, and so adapted them to novel conditions that his campaigns will continue to be the profitable study of the military profession throughout the world. His genial nature made him comrade to every soldier of the great Union Army. No presence was so welcome and inspiring at the camp fire or commandery as his. His career was complete; his honors were full. He had received from the Government the highest rank known to our military establishment and from the people unstinted gratitude and love. No word of mine can add to his fame. His death has followed in startling quickness that of the Admiral of the Navy; and it is a sad and notable incident that when the Department under which he served shall have put on the usual emblems of mourning four of the eight Executive Departments will be simultaneously draped in black, and one other has but to-day removed the crape from its walls.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 26, 1891.*

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State and accompanying documents, in relation to the execution of letters rogatory in foreign countries.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 26, 1891.*

To the Senate of the United States:

I transmit herewith, in reply to the resolution of the Senate of the 9th instant, a report from the Secretary of State, accompanied by the papers relating to the commercial arrangement recently entered into with Brazil.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

To the Senate:

EXECUTIVE MANSION, *March 3, 1891.*

In accordance with the resolution of the Senate of this date, I return herewith Senate bill 1453, to provide for the purchase of a site and the erection of a public building thereon at Saginaw, in the State of Michigan.

BENJ. HARRISON.

VETO MESSAGES.

To the Senate:

EXECUTIVE MANSION, *December 24, 1890.*

I return to the Senate, in which it originated, with my objections, the bill (No. 544) "to provide for the purchase of a site and the erection of a public building thereon at Bar Harbor, in the State of Maine." The statement of a few facts will show, I think, that the public needs do not justify the contemplated expenditure of $75,000 for the erection of a public building at Bar Harbor. Only one public office, the post-office, is to be accommodated. It appears from a report of the Postmaster-General that the rent paid by the United States for a room containing 875 square feet of floor space was in 1888 $300 and the expenditure for fuel and lights $60. One clerk was employed in the office and no carriers. The gross postal receipts for that year were $7,000. Bar Harbor is almost wholly a summer resort. The population of the town of Eden, of which Bar Harbor forms a part, as taken by the census enumerators, was less than 2,000. During one quarter of the year this population is largely increased by summer residents and visitors, but for the other three quarters is not much above the census enumeration. The postal receipts for 1890 by quarters show that for more than half the year the gross receipts of the post-office are about $8 per day. The salary of a janitor for the new building would be more than twice the present cost to the Government of rent, fuel, and lights. I can not believe that upon reconsideration the Congress will approve the contemplated expenditure.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 26, 1891.*

To the House of Representatives:

I return herewith without my approval the bill (H. R. 12365) entitled "An act to authorize Oklahoma City, in Oklahoma Territory, to issue bonds to provide a right of way for the Choctaw Coal and Railway Company through said city." This bill authorizes the corporation of Oklahoma City to issue corporate bonds to the amount of $40,000 for the purpose of providing the right of way for a railroad company through

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the city, if the proposition shall receive the assent of a majority of the legal voters at an election to be called for that purpose.

It is attempted to distinguish this case from the ordinary case of a municipal grant to a railway company by the fact that this railway company had located its line through the lands afterwards settled upon under the town-site law before such settlement, and that the route thus located cuts the plat of the city diagonally and in a way to be very injurious to property interests.

Upon an examination of the facts it appears to me to be clear that no legal location was made by the railway company prior to the acquisition of the lands by the occupying settlers. Some preliminary surveys had been made, but no map of location had been filed with the Secretary of the Interior. If the rights of this company at this point of its road as to right of way are derived from the general statute of the United States upon that subject (U. S. Revised Statutes, Supplement, p. 87), then section 4 distinctly saves the right of any settler who had located prior to the filing of a profile of the road and the approval by the Secretary of the Interior thereof. And if, on the other hand, the rights of the company at the point indicated are derived from the act of Congress of February 18, 1888, "to authorize the Choctaw Coal and Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," section 6 of that act also plainly protects the right of any occupying claimant. The latter statute, it seems to me, was intended to grant a right of way only through Indian lands, and if these lands were not such the general statute to which I have referred would apply; but in either event the conclusion is the same.

It appears from the report of the committee that its favorable action, and, I must assume, the favorable action of Congress, proceeded upon the theory that there was a real controversy, doubtful as to its issue, as to the right of the railroad company to hold the line of its survey through the city.

Stripped, then, of this claim the proposition is nakedly one to authorize Oklahoma City to donate $40,000 to the Choctaw Coal and Railway Company. The general statute of the United States prohibits such grants, and this must stand until repealed as a continuing expression of legislative opinion. If a departure from this rule is to be allowed at all, certainly it should only be where the circumstances are exceptional. Such circumstances, in my opinion, do not exist in this case. Already I have received from other cities in the Territory protests against special legislation of this sort, accompanied by the suggestion that if this policy is admitted other cities shall also be allowed to encourage the building of roads by donation.

Oklahoma City, according to the report of the Census Office, has a population of about 4,100, and this donation would be equivalent to nearly $10 per capita. Very little real estate, whether town-site or country

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

property, in this Territory is yet subject to assessment for taxation. The people have not yet had time to accumulate, and Congress has received appeals for aid to relieve a prevailing distress which the Territorial authorities have found themselves unable to deal with. It does not seem to me, in view of all these facts, that the wholesome rule prescribed by the general statute should be departed from.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *February 26, 1891.*

I return to the Senate without my approval the bill (S. 4620) "to establish the Record and Pension Office of the War Department, and for other purposes."

This bill proposes to change the designation of one of the divisions of the War Department. It is now the "Record and Pension Division," and it is proposed that it shall hereafter be the "Record and Pension Office" of the War Department. The scope of the work assigned to this division or office is not changed, but the organization now existing under a classification made by the Secretary of War is by the bill made permanent and put beyond the control of the Secretary. The change of designation seems to have been intended to add dignity to the position, and the effect of the bill is probably to require that the chief of this office shall hereafter be appointed only by and with the advice and consent of the Senate, though it is not clear that any provision is made for a chief after the particular person designated in the bill has been separated from the place or in case he is not appointed.

The real object of the bill is disclosed in the following clause:

> The President is hereby authorized to nominate and, by and with the advice and consent of the Senate, to appoint the officer now in charge of said Record and Pension Division to be a colonel in the Army and chief of said office.

It is fairly to be implied from the bill that in the opinion of Congress the public interests would be promoted by making the contemplated change in the grade of this office and by giving the rank and pay of a colonel in the Army to the chief. A new and rather anomalous office is therefore created—that of "colonel in the Army and chief of the Record and Pension Office of the War Department"—but upon the condition that the President shall nominate a particular person to fill it. I do not think it is competent for Congress to designate the person who shall fill an office created by law, and practically nothing remains of the bill under consideration if this person is not to be appointed. The office is an important one, connected with the active civil administration of the War Department. I can not agree that the selection of the officer shall be taken out of the discretion of the Executive, where the responsibility for good administration necessarily rests. It is probably true that the officer intended to be benefited is peculiarly deserving and has had remarkable

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

success in the discharge of the duties of the office; but these are considerations for the appointing power, and might safely have been left there.

If this particular appointment was backed by reasons so obvious as to secure the support of both Houses of Congress, it should have been assumed that these reasons could have been made obvious to the Executive by the ordinary methods. In connection with the Army and Navy retired lists, legislation akin to this has become quite frequent, too frequent in my opinion; but these laws have been regarded as grants of pensions rather than of offices.

If it is to be allowed that active places connected with the Executive Departments can be created upon condition that particular persons are or are not to be designated to fill them, the power of appointment might be wholly diverted from the Executive to the Congress.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *March 2, 1891.*

I return herewith without my approval the bill (S. 3270) "for the relief of the administratrix of the estate of George W. Lawrence."

If I rightly construe this bill, it authorizes the Court of Claims to give judgment in favor of the contractor with the United States for the construction of the vessels named (*Agawam* and *Pontoosuc*) for the difference between the contract price and the actual cost to the contractor of building the vessels, subject only to the condition that nothing shall be allowed for any advance in the price of labor or material unless such advance occurred during the prolonged term for completing the work rendered necessary by delay resulting from the action of the Government. The bill is somewhat obscure, but I have, I think, correctly stated the legal effect of it.

Undoubtedly in contracts made for army and navy supplies and construction during the early days of the war there was not infrequently loss to the contractor by reason of the advance in the cost of labor resulting from the withdrawal of so large a body of men for service in the field and the indirect result of this upon the cost of material; but I can not believe that it is the purpose of Congress to reopen such contracts at this late day and to pay to the contractors the cost of the work or material which they stipulated to do or deliver at fixed prices. In the matter of another vessel constructed by this same claimant and in the case of one other similar claim I approved bills at the last session, but they carefully limited any finding by the Court of Claims to such losses as necessarily resulted from the interference by the Government with the progress of the work, thus creating delays and enhanced cost.

In those cases the Government only undertook to make good losses resulting directly and unavoidably from its own acts. If the principle which seems to me to be embodied in the bill under consideration is

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

adopted, I do not see how the Congress can refuse in all cases of all sorts of contracts to make good the losses resulting from appreciation in the cost of labor and material. The expenditure that such a policy would entail is incalculable, and the policy itself is, in my judgment, indefensible.

The bill at the last session for the relief of this claimant in the case of another vessel constructed by him was, as I have said, carefully put upon the lines I have indicated, and if this claim could have been maintained upon those lines I assume that the bill would have been similar in its provisions.

BENJ. HARRISON.

PROCLAMATIONS.

By the President of the United States of America.

A PROCLAMATION.

Whereas satisfactory proof has been presented to me that provision has been made for adequate grounds and buildings for the uses of the World's Columbian Exposition, and that a sum not less than $10,000,000, to be used and expended for the purposes of said exposition, has been provided in accordance with the conditions and requirements of section 10 of an act entitled "An act to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, and sea, in the city of Chicago, in the State of Illinois," approved April 25, 1890:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the authority vested in me by said act, do hereby declare and proclaim that such international exhibition will be opened on the 1st day of May, in the year 1893, in the city of Chicago, in the State of Illinois, and will not be closed before the last Thursday in October of the same year. And in the name of the Government and of the people of the United States I do hereby invite all the nations of the earth to take part in the commemoration of an event that is preeminent in human history and of lasting interest to mankind by appointing representatives thereto and sending such exhibits to the World's Columbian Exposition as will most fitly and fully illustrate their resources, their industries, and their progress in civilization.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 24th day of December, 1890, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of the United States of Brazil the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Brazil at Washington has communicated to the Secretary of State the fact that, in due reciprocity for and in consideration of the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Brazil has by legal enactment authorized the admission, from and after April 1, 1891, into all the established ports of entry of Brazil, free of all duty, whether national, state, or municipal, of the articles or merchandise named in the following schedule, provided that the same be the product and manufacture of the United States of America:

I.—SCHEDULE OF ARTICLES TO BE ADMITTED FREE INTO BRAZIL.

Wheat.
Wheat flour.
Corn or maize and the manufactures thereof, including corn meal and starch.
Rye, rye flour, buckwheat, buckwheat flour, and barley.
Potatoes, beans, and pease.
Hay and oats.
Pork, salted, including pickled pork and bacon, except hams.
Fish, salted, dried, or pickled.
Cotton-seed oil.
Coal, anthracite and bituminous.
Rosin, tar, pitch, and turpentine.
Agricultural tools, implements, and machinery.
Mining and mechanical tools, implements, and machinery, including stationary and portable engines and all machinery for manufacturing and industrial purposes, except sewing machines.
Instruments and books for the arts and sciences.
Railway construction material and equipment.

And that the Government of Brazil has by legal enactment further authorized the admission into all the established ports of entry of Brazil, with a reduction of 25 per cent of the duty designated on the respective article in the tariff now in force or which may hereafter be adopted in the United States of Brazil, whether national, state, or municipal, of the articles or merchandise named in the following schedule, provided

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

that the same be the product or manufacture of the United States of America:

2.—SCHEDULE OF ARTICLES TO BE ADMITTED INTO BRAZIL WITH A REDUCTION OF DUTY OF 25 PER CENT.

Lard and substitutes therefor.
Bacon hams.
Butter and cheese.
Canned and preserved meats, fish, fruits, and vegetables.
Manufactures of cotton, including cotton clothing.
Manufactures of iron and steel, single or mixed, not included in the foregoing free schedule.
Leather and the manufactures thereof, except boots and shoes.
Lumber, timber, and the manufactures of wood, including cooperage, furniture of all kinds, wagons, carts, and carriages.
Manufactures of rubber.

And that the Government of Brazil has further provided that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedules are the product or manufacture of the United States of America shall place no undue restrictions on the importer nor impose any additional charges or fees therefor on the articles imported;

And whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Brazil at Washington that this action of the Government of Brazil in granting exemption of duties to the products and manufactures of the United States of America is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff law of Brazil to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 5th day of February, 1891, and of the Independence of the United States of America the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of an act approved March 3, 1891, entitled "An act ~~to~~ repeal timber-culture ~~laws~~, and for other ~~purposes~~"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and limits thereof.

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested, do hereby make known and proclaim that there has been and is hereby reserved from entry or settlement and set apart for a public forest reservation all that tract of land situate in the State of Wyoming contained within the following-described boundaries:

Beginning at a point on the parallel of 44° 50′ where said parallel is intersected by the meridian of 110° west longitude; thence due east along said parallel to the meridian of 109° 30′ west longitude; thence due south along said meridian to the forty-fourth parallel of north latitude; thence due west along said parallel to its point of intersection with the west boundary of the State of Wyoming; thence due north along said boundary line to its intersection with the south boundary of the Yellowstone National Park.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 30th day of March, A. D. 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The following provisions of the laws of the United States are hereby published for the information of all concerned:

Section 1956, Revised Statutes, chapter 3, Title XXIII, enacts that—

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory or in the waters thereof; and every person guilty thereof shall for each offense be fined not less than $200 nor more than $1,000, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, found engaged in violation of this section shall be forfeited; but the Secretary of the Treasury shall have power to authorize the killing of any such mink, marten, sable, or other fur-bearing animal, except fur seals, under such regulations as he may prescribe; and it shall be the duty of the Secretary to prevent the killing of any fur seal and to provide for the execution of the provisions of this section until it is otherwise provided by law, nor shall he grant any special privileges under this section.

* * * * * * * *

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Section 3 of the act entitled "An act to provide for the protection of the salmon fisheries of Alaska," approved March 2, 1889, provides that—

SEC. 3. That section 1956 of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Bering Sea, and it shall be the duty of the President at a timely season in each year to issue his proclamation, and cause the same to be published for one month in at least one newspaper (if any such there be) published at each United States port of entry on the Pacific coast, warning all persons against entering such waters for the purpose of violating the provisions of said section, and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

Now, therefore, I, Benjamin Harrison, President of the United States, pursuant to the above-recited statutes, hereby warn all persons against entering the waters of Bering Sea within the dominion of the United States for the purpose of violating the provisions of said section 1956, Revised Statutes; and I hereby proclaim that all persons found to be or to have been engaged in any violation of the laws of the United States in said waters will be arrested and punished as above provided, and that all vessels so employed, their tackle, apparel, furniture, and cargoes, will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 4th day of April, 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to an act of Congress approved May 15, 1886, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various tribes for the year ending June 30, 1887, and for other purposes," an agreement was entered into on the 14th day of December, 1886, by John V. Wright, Jared W. Daniels, and Charles F. Larrabee, commissioners on the part of the United States, and the Arickaree, Gros Ventre, and Mandan tribes of Indians, residing on the Fort Berthold Reservation, in the then Territory of Dakota, now State of North Dakota, embracing a majority of all the male adult members of said tribes; and

Whereas by an act of Congress approved March 3, 1891, entitled "An act making appropriations for the current and contingent expenses of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1892, and for other purposes," the aforesaid agreement of December 14, 1886, was accepted, ratified, and confirmed, except as to article 6 thereof, which was modified and changed on the part of the United States so as to read as follows:

That the residue of lands within said diminished reservation, after all allotments have been made as provided in article 3 of this agreement, shall be held by the said tribes of Indians as a reservation.

And whereas it is provided in said last above-mentioned act—

That this act shall take effect only upon the acceptance of the modification and changes made by the United States as to article 6 of the said agreement by the said tribes of Indians in manner and form as said agreement was assented to, which said acceptance and consent shall be made known by proclamation by the President of the United States, upon satisfactory proof presented to him that the said acceptance and consent have been obtained in such manner and form.

And whereas satisfactory proof has been presented to me that the acceptance of and consent to the provisions of the act last named by the different bands of Indians residing on said reservation have been obtained in manner and form as said agreement of December 14, 1886, was assented to:

Now, therefore, I, Benjamin Harrisor, President of the United States, by virtue of the power in me vested, do hereby make known and proclaim the acceptance of and consent to the modification and changes made by the United States as to article 6 of said agreement by said tribe of Indians as required by the act, and said act is hereby declared to be in full force and effect, subject to all provisions, conditions, limitations, and restrictions therein contained.

All persons will take notice of the provisions of said act and of the conditions and restrictions therein contained, and be governed accordingly.

I furthermore notify all persons to particularly observe that a certain portion of the said Fort Berthold Reservation not ceded and relinquished by said agreement is reserved for allotment to, and also as a reservation for, the said tribes of Indians; and all persons are therefore hereby warned not to go upon any of the lands so reserved for any purpose or with any intent whatsoever, as no settlement or other rights can be secured upon said lands, and all persons found unlawfully thereon will be dealt with as trespassers and intruders; and I hereby declare all the lands sold, ceded, and relinquished to the United States under said agreement, namely, "all that portion of the Fort Berthold Reservation, as laid down upon the official map of the" (then) "Territory of Dakota published by the General Land Office in the year 1885, lying north of the forty-eighth parallel of north latitude, and also all that portion lying west of a north and south line 6 miles west of the most westerly point of the big bend of the Missouri River, south of the forty-eighth parallel of north latitude," open to settlement and subject to disposal as provided in section

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

25 of the act of March 3, 1891, aforesaid (26 U. S. Statutes at Large, p. 1035).

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of May, A. D. 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an agreement for a *modus vivendi* between the Government of the United States and the Government of Her Britannic Majesty in relation to the fur-seal fisheries in Bering Sea was concluded on the 15th day of June, A. D. 1891, word for word as follows:

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF HER BRITANNIC MAJESTY FOR A MODUS VIVENDI IN RELATION TO THE FUR-SEAL FISHERIES IN BERING SEA.

For the purpose of avoiding irritating differences and with a view to promote the friendly settlement of the questions pending between the two Governments touching their respective rights in Bering Sea, and for the preservation of the seal species, the following agreement is made without prejudice to the rights or claims of either party:

(1) Her Majesty's Government will prohibit until May next seal killing in that part of Bering Sea lying eastward of the line of demarcation described in article No. 1 of the treaty of 1867 between the United States and Russia, and will promptly use its best efforts to insure the observance of this prohibition by British subjects and vessels.

(2) The United States Government will prohibit seal killing for the same period in the same part of Bering Sea and on the shores and islands thereof the property of the United States (in excess of 7,500 to be taken on the islands for the subsistence and care of the natives), and will promptly use its best efforts to insure the observance of this prohibition by United States citizens and vessels.

(3) Every vessel or person offending against this prohibition in the said waters of Bering Sea outside of the ordinary territorial limits of the United States may be seized and detained by the naval or other duly commissioned officers of either of the high contracting parties, but they shall be handed over as soon as practicable to the authorities of the nation to which they respectively belong, who shall alone have jurisdiction to try the offense and impose the penalties for the same. The witnesses and proofs necessary to establish the offense shall also be sent with them.

(4) In order to facilitate such proper inquiries as Her Majesty's Government may desire to make with a view to the presentation of the case of that Government before arbitrators, and in expectation that an agreement for arbitration may be arrived at, it is agreed that suitable persons designated by Great Britain will be permitted at any time, upon application, to visit or to remain upon the seal islands during the present sealing season for that purpose.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Signed and sealed in duplicate at Washington, this 15th day of June, 1891, on behalf of their respective Governments, by William F. Wharton, Acting Secretary of State of the United States, and Sir Julian Pauncefote, G. C. M. G., K. C. B., H. B. M. envoy extraordinary and minister plenipotentiary.

WILLIAM F. WHARTON. [SEAL.]
JULIAN PAUNCEFOTE. [SEAL.]

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said agreement to be made public, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of June, A. D. 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to a citizen or a subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement;" and

Whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require;" and

Whereas satisfactory official assurances have been given that in Belgium, France, Great Britain and the British possessions, and Switzerland the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to the citizens of those countries:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, is now fulfilled in respect

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

to the citizens or subjects of Belgium, France, Great Britain, and Switzerland.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of July, 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Spain the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Spain at Washington has communicated to the Secretary of State the fact that, in reciprocity and compensation for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Spain will by due legal enactment and as a provisional measure admit, from and after September 1, 1891, into all the established ports of entry of the Spanish islands of Cuba and Puerto Rico the articles or merchandise named in the following transitory schedule, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States:

TRANSITORY SCHEDULE.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico free of duties:

1. Meats, in brine, salted or smoked, bacon, hams, and meats preserved in cans, in lard or by extraction of air, jerked beef excepted.
2. Lard.
3. Tallow and other animal greases, melted or crude, unmanufactured.
4. Fish and shellfish, live, fresh, dried, in brine, smoked, pickled, oysters and salmon in cans.
5. Oats, barley, rye, and buckwheat, and flour of these cereals.
6. Starch, maizena, and other alimentary products of corn, except corn meal.
7. Cotton seed, oil and meal cake of said seed for cattle.
8. Hay, straw for forage, and bran.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

9. Fruits, fresh, dried, and preserved, except raisins.
10. Vegetables and garden products, fresh and dried.
11. Resin of pine, tar, pitch, and turpentine.
12. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards, round or cylindric masts, although cut, planed, and tongued and grooved, including flooring.
13. Woods for cooperage, including staves, headings, and wooden hoops.
14. Wooden boxes, mounted or unmounted, except of cedar.
15. Woods, ordinary, manufactured into doors, frames, windows, and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.
16. Wagons and carts for ordinary roads and agriculture.
17. Sewing machines.
18. Petroleum, raw or unrefined, according to the classification fixed in the existing orders for the importation of this article in said islands.
19. Coal, mineral.
20. Ice.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico on payment of the duties stated:

21. Corn or maize, 25 cents per 100 kilograms.
22. Corn meal, 25 cents per 100 kilograms.
23. Wheat, from January 1, 1892, 30 cents per 100 kilograms.
24. Wheat flour, from January 1, 1892, $1 per 100 kilograms.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico at a reduction of duty of 25 per cent:

25. Butter and cheese.
26. Petroleum, refined.
27. Boots and shoes in whole or in part of leather or skins.

And whereas the envoy extraordinary and minister plenipotentiary of Spain in Washington has further communicated to the Secretary of State that the Government of Spain will in like manner and as a definitive arrangement admit, from and after July 1, 1892, into all the established ports of entry of the Spanish islands of Cuba and Puerto Rico the articles or merchandise named in the following schedules A, B, C, and D, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States:

SCHEDULE A.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico free of duties:

1. Marble, jasper, and alabaster, natural or artificial, in rough or in pieces, dressed, squared, and prepared for taking shape.
2. Other stones and earthy matters, including cement, employed in building, the arts and industries.
3. Waters, mineral or medicinal.
4. Ice.
5. Coal, mineral.
6. Resin, tar, pitch, turpentine, asphalt, schist, and bitumen.
7. Petroleum, raw or crude, in accordance with the classification fixed in the tariff of said islands.
8. Clay, ordinary, in paving tiles, large and small, bricks, and roof tiles unglazed, for the construction of buildings, ovens, and other similar purposes.
9. Gold and silver coin.
10. Iron, cast, in pigs, and old iron and steel.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

11. Iron, cast, in pipes, beams, rafters, and similar articles for the construction of buildings and in ordinary manufactures. (See repertory.)

12. Iron, wrought, and steel, in bars, rails and bars of all kinds, plates, beams, rafters, and other similar articles for construction of buildings.

13. Iron, wrought, and steel, in wire, nails, screws, nuts, and pipes.

14. Iron, wrought, and steel, in ordinary manufactures, and wire cloth unmanufactured. (See repertory.)

15. Cotton, raw, with or without seed.

16. Cotton seed, oil and meal cake of same for cattle.

17. Tallow and all other animal greases, melted or crude, unmanufactured.

18. Books and pamphlets, printed, bound and unbound.

19. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards, and round or cylindric masts, although cut, planed, tongued and grooved, including flooring.

20. Wooden cooperage, including staves, headings, and wooden hoops.

21. Wooden boxes, mounted or unmounted, except of cedar.

22. Woods, ordinary, manufactured into doors, frames, windows, and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.

23. Woods, ordinary, manufactured into all kinds of articles, turned or unturned, painted or varnished, except furniture. (See repertory.)

24. Manures, natural or artificial.

25. Implements, utensils, and tools for agriculture, the arts, and mechanical trades.

26. Machines and apparatus, agricultural, motive, industrial, and scientific, of all classes and materials, and loose pieces for the same, including wagons, carts, and handcarts for ordinary roads and agriculture.

27. Material and articles for public works, such as railroads, tramways, roads, canals for irrigation and navigation, use of waters, ports, light-houses, and civil construction of general utility, when introduced by authorization of the Government or if free admission is obtained in accordance with local laws.

28. Materials of all classes for the construction, repair in whole or in part of vessels, subject to specific regulations to avoid abuse in the importation.

29. Meats, in brine, salted and smoked, including bacon, hams, and meats preserved in cans, in lard or by extraction of air, jerked beef excepted.

30. Lard and butter.

31. Cheese.

32. Fish and shellfish, live, fresh, dried, in brine, salted, smoked, and pickled, oysters and salmon in cans.

33. Oats, barley, rye, and buckwheat, and flour of these cereals.

34. Starch, maizena, and other alimentary products of corn, except corn meal.

35. Fruits, fresh, dried, and preserved, except raisins.

36. Vegetables and garden products, fresh and dried.

37. Hay, straw for forage, and bran.

38. Trees, plants, shrubs, and garden seeds.

39. Tan bark.

SCHEDULE B.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico on payment of the duties stated:

40. Corn or maize, 25 cents per 100 kilograms.

41. Corn meal, 25 cents per 100 kilograms.

42. Wheat, 30 cents per 100 kilograms.

43. Wheat flour, $1 per 100 kilograms.

44. Carriages, cars and other vehicles for railroads or tramways, where authorization of the Government for free admission has not been obtained, 1 per cent *ad valorem*.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

SCHEDULE C.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico at a reduction of duty of 50 per cent:

45. Marble, jasper, and alabaster of all kinds, cut into flags, slabs, or steps, and the same worked or carved in all kinds of articles, polished or not.

46. Glass and crystal ware, plate and window glass, and the same silvered, quicksilvered, and platinized.

47. Clay in tiles, large and small, and mosaic for pavement, colored tiles, roof tiles glazed, and pipes.

48. Stoneware and fine earthenware, and porcelain.

49. Iron, cast, in fine manufactures or those polished, with coating of porcelain or part of other metals. (See repertory.)

50. Iron, wrought, and steel, in axles, tires, springs, and wheels for carriages, rivets and their washers.

51. Iron, wrought, and steel, in fine manufactures or those polished, with coating of porcelain or part of other metals, not expressly comprised in other numbers of these schedules, and platform scales for weighing. (See repertory.)

52. Needles, pens, knives (table and carving), razors, penknives, scissors, pieces for watches, and other similar articles of iron and steel.

53. Tin plate in sheets or manufactured.

54. Copper, bronze, brass, and nickel, and alloys of same with common metals, in lump or bars, and all manufactures of the same.

55. All other common metals and alloys of the same, in lump or bars, and all manufactures of the same, plain, varnished, gilt, silvered, or nickeled.

56. Furniture of all kinds, of wood or metal, including school furniture, blackboards, and other materials for schools, and all kinds of articles of fine woods not expressly comprised in other numbers of these schedules. (See repertory.)

57. Rushes, esparto, vegetable hair, broom corn, willow, straw, palm, and other similar materials, manufactured into articles of all kinds.

58. Pastes for soups, rice flour, bread and crackers, and alimentary farinas not comprised in other numbers of these schedules.

59. Preserved alimentary substances and canned goods not comprised in other numbers of these schedules, including sausages, stuffed meats, mustards, sauces, pickles, jams, and jellies.

60. Rubber and gutta-percha and manufactures thereof, alone or mixed with other substances (except silk), and oilcloths and tarpaulin.

61. Rice, hulled or unhulled.

SCHEDULE D.

Products or manufactures of the United States to be admitted into Cuba and Puerto Rico at a reduction of duty of 25 per cent:

62. Petroleum, refined, and benzine.

63. Cotton, manufactured, spun or twisted, and in goods of all kinds, woven or knit, and the same mixed with other vegetable or animal fibers in which cotton is an equal or greater component part, and clothing exclusively of cotton.

64. Rope, cordage, and twine of all kinds.

65. Colors, crude and prepared, with or without oil, inks of all kinds, shoe blacking, and varnishes.

66. Soap, toilet, and perfumery.

67. Medicines, proprietary or patent and all others, and drugs.

68. Stearine and tallow manufactured in candles.

69. Paper for printing, for decorating rooms, of wood or straw, for wrapping and packing, and bags and boxes of same, sandpaper and pasteboard.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

70. Leather and skins, tanned, dressed, varnished, or japanned, of all kinds, including sole leather or belting.

71. Boots and shoes in whole or in part of leather or skins.

72. Trunks, valises, traveling bags, portfolios, and other similar articles in whole or in part of leather.

73. Harness and saddlery of all kinds.

74. Watches and clocks of gold, silver, or other metals, with cases of stone, wood, or other material, plain or ornamented.

75. Carriages of two or four wheels and pieces of the same.

It is understood that flour which on its exportation from the United States has been favored with drawbacks shall not share in the foregoing reduction of duty.

The provisional arrangement as set forth in the transitory schedule shall come to an end on July 1, 1892, and on that date be substituted by the definitive arrangement as set forth in schedules A, B, C, and D.

And that the Government of Spain has further provided that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedules are the product or manufacture of the United States of America shall place no undue restrictions on the importer nor impose any additional charges or fees therefor on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Spain at Washington that this action of the Government of Spain in granting exemption of duties to the products and manufactures of the United States of America on their importation into Cuba and Puerto Rico is accepted for those islands as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Cuba and Puerto Rico to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 31st day of July, 1891, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of the Dominican

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Republic the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of the Dominican Republic at Washington has communicated to the special plenipotentiary of the United States the fact that, in reciprocity and compensation for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of the Dominican Republic will by due legal enactment admit, from and after September 1, 1891, into all the established ports of entry of the Dominican Republic the articles or merchandise named in the following schedules, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States:

SCHEDULE A.

Articles to be admitted free of duty into the Dominican Republic:

1. Animals, live.
2. Meats of all kinds, salted or in brine, but not smoked.
3. Corn or maize, corn meal, and starch.
4. Oats, barley, rye, and buckwheat, and flour of these cereals.
5. Hay, bran, and straw for forage.
6. Trees, plants, vines, and seeds, and grains of all kinds for propagation.
7. Cotton-seed oil and meal cake of same.
8. Tallow, in cake or melted, and oil for machinery, subject to examination and proof respecting the use of said oil.
9. Resin, tar, pitch, and turpentine.
10. Manures, natural and artificial.
11. Coal, mineral.
12. Mineral waters, natural and artificial.
13. Ice.
14. Machines, including steam engines and those of all other kinds, and parts of the same, implements and tools for agricultural, mining, manufacturing, industrial, and scientific purposes, including carts, wagons, handcarts, and wheelbarrows, and parts of the same.
15. Material for the construction and equipment of railways.
16. Iron, cast and wrought, and steel, in pigs, bars, rods, plates, beams, rafters, and other similar articles for the construction of buildings, and in wire, nails, screws, and pipes.
17. Zinc, galvanized and corrugated iron, tin and lead in sheets, asbestus, tar paper, tiles, slate, and other material for roofing.
18. Copper in bars, plates, nails, and screws.
19. Copper and lead pipe.
20. Bricks, fire bricks, cement, lime, artificial stone, paving tiles, marble and other stones in rough, dressed or polished, and other earthy materials used in building.
21. Windmills.
22. Wire, plain or barbed, for fences, with hooks, staples, nails, and similar articles used in the construction of fences.
23. Telegraph wire and telegraphic, telephonic, and electrical apparatus of all kinds for communication and illumination.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

24. Wood and lumber of all kinds for building, in logs or pieces, beams, rafters, planks, boards, shingles, flooring, joists, wooden houses, mounted or unmounted, and accessory parts of buildings.

25. Cooperage of all kinds, including staves, headings, and hoops, barrels and boxes, mounted or unmounted.

26. Materials for shipbuilding.

27. Boats and lighters.

28. School furniture, blackboards, and other articles exclusively for the use of schools.

29. Books, bound or unbound, pamphlets, newspapers and printed matter, and paper for printing newspapers.

30. Printers' inks of all colors, type, leads, and all accessories for printing.

31. Sacks, empty, for packing sugar.

32. Gold and silver coin and bullion.

SCHEDULE B.

Articles to be admitted into the Dominican Republic at a reduction of duty of 25 per cent:

33. Meats not included in Schedule A and meat products of all kinds except lard.

34. Butter, cheese, and condensed or canned milk.

35. Fish and shellfish, salted, dried, smoked, pickled, or preserved in cans.

36. Fruits and vegetables, fresh, canned, dried, pickled, or preserved.

37. Manufactures of iron and steel, single or mixed, not included in Schedule A.

38. Cotton, manufactured, spun or twisted, and in fabrics of all kinds, woven or knit, and the same fabrics mixed with other vegetable or animal fibers in which cotton is the equal or greater component part.

39. Boots and shoes in whole or in part of leather or skins.

40. Paper for writing, in envelopes, ruled or blank books, wall paper, paper for wrapping and packing, for cigarettes, in cardboard, boxes, and bags, sandpaper and pasteboard.

41. Tin plate and tinware for arts, industries, and domestic uses.

42. Cordage, rope, and twine of all kinds.

43. Manufactures of wood of all kinds not embraced in Schedule A, including wooden ware, implements for household use, and furniture in whole or in part of wood.

And that the Government of the Dominican Republic has further provided that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedules are the product or manufacture of the United States of America shall place no undue restrictions on the importer nor impose any additional charges or fees therefor on the articles imported; and

Whereas the special plenipotentiary of the United States has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of the Dominican Republic at Washington that this action of the Government of the Dominican Republic in granting exemption of duties to the products and manufactures of the United States of America on their importation into the Dominican Republic is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the tariff laws of the Dominican Republic to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of August, 1891, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of an act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and limits thereof.

And whereas the lands hereinafter described are public and forest bearing, and on the 30th of March last I issued a proclamation* intended to reserve the same as authorized in said act, but as some question has arisen as to the boundaries proclaimed being sufficiently definite to cover the forests intended to be reserved:

Now, therefore, I, Benjamin Harrison, President of the United States, for the purpose of removing any doubt and making the boundaries of said reservation more definite, by virtue of the power in me vested by said act, do hereby issue this my second proclamation and hereby set apart, reserve, and establish as a public reservation all that tract of land situate in the State of Wyoming embraced within the following boundary:

Beginning at a point on the parallel of 44° 50′ north latitude where said parallel is intersected by the east boundary of the Yellowstone National Park; thence due east along said parallel 24½ miles; thence due south to the parallel of 44° north latitude; thence due west along said parallel to its point of intersection with the west boundary of the State of Wyoming; thence due north along said boundary to its intersection with the south boundary of the Yellowstone National Park; thence due east along the south boundary of said park to the southeast corner thereof; thence due north along the east boundary of said park to the place of beginning.

And warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

*See pp. 142–143.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 10th day of September, A. D. 1891, and of the Independence of the United States the one hundred and fifteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a written agreement made on the 12th day of June, 1890, the Sac and Fox Nation of Indians, in the Territory of Oklahoma, ceded and conveyed to the United States of America all title or interest of said Indians in and to the lands particularly described in Article I of the agreement, except the quarter section of land on which the Sac and Fox Agency is located, and provided that the section of land now designated and set apart near the Sac and Fox Agency for a school and farm shall not be subject either to allotment or to homestead entry; that every citizen of said nation shall have an allotment of land in quantity as therein stated, to be selected within the tract of country so ceded, except in sections 16 and 36 in each Congressional township, and except the agency quarter section and section set apart for school and farm, as above mentioned, or other lands selected in lieu thereof; that when the allotments to the citizens of the Sac and Fox Nation are made the Secretary of the Interior shall cause trust patents to issue therefor in the name of the allottees, and that as soon as such allotments are so made and approved by the Department of the Interior, and the patents provided for are issued, then the residue of said tract of country shall, as far as said Sac and Fox Nation is concerned, become public lands of the United States, and, under such restrictions as may be imposed by law, be subject to white settlement; and

Whereas by a certain other agreement with the Iowa tribe of Indians residing on the Iowa Reservation, in said Territory, made on the 20th day of May, 1890, said tribe surrendered and relinquished to the United States all their title and interest in and to the lands of said Indians in said Territory, and particularly described in Article I of said agreement, and provided that each and every member of said tribe shall have an allotment of 80 acres of land upon said reservation, and upon the approval of such allotments by the Secretary of the Interior that trust patents shall be issued therefor, and that there shall be excepted from the operation of said agreement a tract of land not exceeding 10 acres, in a square form, including the church and schoolhouse and graveyard at or near the Iowa village, which shall belong to said Iowa tribe of Indians in common,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

subject to the conditions and limitations in said agreement expressed; that the chief of the Iowas may select an additional 10 acres, in a square form, for the use of said tribe in said reservation, conforming in boundaries to the legal subdivisions of land therein, which shall be held by said tribe in common, subject to the conditions and limitations as expressed in relation thereto; and

Whereas it is provided in the act of Congress approved February 13, 1891 (26 U. S. Statutes at Large, pp. 758, 759), section 7, accepting, ratifying, and confirming said agreements with the Sac and Fox Nation of Indians and the Iowa tribe of Indians—

That whenever any of the lands acquired by the agreements in this act ratified and confirmed shall by operation of law or proclamation of the President of the United States be open to settlement they shall be disposed of to actual settlers only, under the provisions of the homestead laws, except section 2301, which shall not apply: *Provided, however*, That each settler under and in accordance with the provisions of said homestead laws shall before receiving a patent for his homestead pay to the United States for the land so taken by him, in addition to the fees provided by law, the sum of $1.25 for each acre thereof; and such person, having complied with all the laws relating to such homestead settlement, may at his option receive a patent therefor at the expiration of twelve months from date of settlement upon said homestead; and any person otherwise qualified who has attempted to but for any cause failed to secure a title in fee to a homestead under existing law, or who made entry under what is known as the commuted provision of the homestead law, shall be qualified to make a homestead entry upon any of said lands.

And whereas by a certain other agreement with the Citizen band of Pottawatomie Indians, in said Territory, made on the 25th day of June, 1890, the said band of Indians ceded and absolutely surrendered to the United States all their title and interest in and to the lands in said Territory, and particularly described in Article I of said agreement, and provided that all allotments of land theretofore made, or then being made, or to be made, to members of said Citizen band of Pottawatomie Indians under the provisions of the general allotment act approved February 8, 1887, shall be confirmed; that in all allotments to be thereafter made no person shall have the right to select his or her allotment in sections 16 and 36 in any Congressional township, nor upon any land heretofore set apart in said tract of country for any use by the United States, or for schools, school-farm, or religious purposes; nor shall said sections 16 and 36 be subject to homestead entry, but shall be kept and used for school purposes; nor shall any lands set apart for any use of the United States, or for school, school-farm, or religious purposes, be subject to homestead entry, but shall be held by the United States for such purposes so long as the United States shall see fit to use them; and further, that the south half of section 7 and the north half of section 18, in township 6 north, range 5 east, theretofore set apart by a written agreement between said band of Indians and certain Catholic fathers for religious, school, and farm purposes, shall not be subject to allotment or homestead entry, but shall be held by the United States for the Sacred Heart Mission, the name under which said

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

association of fathers are conducting the church, school, and farm on said lands; and

Whereas by a certain agreement with the Absentee Shawnee Indians, in said Territory, made on the 26th day of June, 1890, said last-named Indians ceded, relinquished, and surrendered to the United States all their title and interest in and to the lands in said Territory, and particularly described in Article I of said agreement, provided that all allotments of lands theretofore made, or then being made, or to be made, to said Absentee Shawnees under the provisions of the general allotment act approved February 8, 1887, shall be confirmed; that in all allotments to be thereafter made no person shall have the right to select his or her allotment in sections 16 and 36 in any Congressional township, nor in any land heretofore set apart in said tract of country for any use by the United States, or for school, school-farm, or religious purposes; nor shall said sections 16 and 36 be subject to homestead entry, but shall be held by the United States for such purposes so long as the United States shall see fit to use them; and

Whereas it is provided in the act of Congress accepting, ratifying, and confirming said agreements with the Citizen band of Pottawatomie Indians and the Absentee Shawnee Indians, approved March 3, 1891 (26 U. S. Statutes at Large, pp. 989–1044), section 16—

> That whenever any of the lands acquired by either of the * * * foregoing agreements respecting lands in the Indian or Oklahoma Territory shall by operation of law or proclamation of the President of the United States be open to settlement they shall be disposed of to actual settlers only, under the provisions of the homestead and town-site laws, except section 2301 of the Revised Statutes of the United States, which shall not apply: *Provided, however*, That each settler on said lands shall before making a final proof and receiving a certificate of entry pay to the United States for the land so taken by him, in addition to the fees provided by law, and within five years from the date of the first original entry, the sum of $1.50 per acre, one-half of which shall be paid within two years; but the rights of honorably discharged Union soldiers and sailors as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States shall not be abridged except as to the sum to be paid as aforesaid; and all the lands in Oklahoma are hereby declared to be agricultural lands, and proof of their nonmineral character shall not be required as a condition precedent to final entry.

And whereas allotments of land in severalty to said Sac and Fox Nation, said Iowa tribe, said Citizen band of Pottawatomies, and said Absentee Shawnee Indians have been made and approved, and provisional patents issued therefor, in accordance with law and the provisions of the beforementioned agreements with them respectively, and an additional 10 acres of land has been selected for the use of said Iowa tribe, to be held by said tribe in common, in accordance with the provisions of supplemental Article XII of the agreement with them; and

Whereas the lands acquired by the four several agreements hereinbefore mentioned have been divided into counties by the Secretary of the Interior, as required by said last-mentioned act of Congress before the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

same shall be open to settlement, and lands have been reserved for county-seat purposes, as therein required; and

Whereas it is provided by act of Congress for temporary government of Oklahoma, approved May 2, 1890, that there shall be reserved public highways 4 rods wide between each section of land in said Territory, the section lines being the centers of said highways, but no deduction shall be made from cash payments from each quarter section by reason thereof; and

Whereas all the terms, conditions, and considerations required by said several agreements made respectively with said tribes of Indians hereinbefore mentioned, and of the laws relating thereto, precedent to opening said several tracts of land to settlement, have been, as I hereby declare, provided for, paid, and complied with:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by the statutes hereinbefore mentioned, also an act of Congress entitled "An act making appropriations for the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1890, and for other purposes," approved March 2, 1889, and by other the laws of the United States, and by said several agreements, do hereby declare and make known that all of the lands acquired from the Sac and Fox Nation of Indians, the Iowa tribe of Indians, the Citizen band of Pottawatomie Indians, and the Absentee Shawnee Indians by the four several agreements aforesaid, saving and excepting the lands allotted to the Indians as in said agreements provided, or otherwise reserved in pursuance of the provisions of said agreements and the said acts of Congress ratifying the same and other the laws relating thereto, will, at and after the hour of 12 o'clock noon (central standard time), Tuesday, the 22d day of this the present month of September, and not before, be opened to settlement, under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in said agreements, the statutes above specified, and the laws of the United States applicable thereto.

The lands to be so opened to settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Sac and Fox, Iowa, Pottawatomie (and Absentee Shawnee) reservations, in Oklahoma Territory, opened to settlement by proclamation of the President dated September 18, 1891," and which schedule is made a part hereof.

Each entry shall be in square form as nearly as practicable; and no other lands in the Territory of Oklahoma are opened to settlement under this proclamation or the agreements ratifying the same.

Notice, moreover, is hereby given that it is by law enacted that until said lands are opened to settlement by proclamation no person shall be permitted to enter upon and occupy the same, and no person violating this provision shall be permitted to enter any of said lands or acquire

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

any right thereto. The officers of the United States will be required to enforce this provision.

And further notice is hereby given that it has been duly ordered that the lands in the Territory of Oklahoma mentioned and included in this proclamation be, and the same are, attached to the Eastern and Oklahoma land districts in said Territory, severally, as follows:

1. All that portion of the Territory of Oklahoma commencing at the southwest corner of township 14 north, range 1 east; thence east on town line between townships 13 and 14 to the west boundary of the Creek country; thence north on said boundary line to the middle of main channel of the Cimarron River; thence up the Cimarron River, following the main channel thereof, to the Indian meridian; thence south on said meridian line to the place of beginning, is attached to the Eastern land district in Oklahoma Territory, the office of which is now located at Guthrie.

2. All that portion of said Territory commencing at the northwest corner of township 13 north, range 1 east; thence south on Indian meridian to the North Fork of the Canadian River; thence west up said river to the west boundary of the Pottawatomie Indian Reservation, according to Morrill's survey; thence south, following the line as run by O. T. Morrill under his contract of September 3, 1872, to the middle of the main channel of the Canadian River; thence east down the main channel of said river to the west boundary of the Seminole Indian Reservation; thence north with said west boundary to the North Fork of the Canadian River; thence east down said North Fork to the west boundary of the Creek Nation; thence north with said west boundary to its intersection with the line between townships 13 and 14 north of the Indian base; thence west on town line between townships 13 and 14 north to the place of beginning, is attached to the Oklahoma land district in said Territory, the office of which is now located at Oklahoma City.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of September, A. D. 1891, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal the timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public lands bearing forests, in any part of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservation and the limits thereof.

And whereas the public lands in the State of Colorado within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Colorado and particularly described as follows, to wit:

Beginning at a point between sections three (3) and four (4) on the north boundary of township five (5) south, range eighty-seven (87) west of the sixth principal meridian in Colorado; thence north 12 miles; thence east to the southeast corner of township two (2) south, range eighty-six (86) west; thence north between ranges numbered eighty-five (85) and eighty-six (86) west to the base line; thence west along the base line to the southwest corner of township one (1) north, range eighty-five (85) west; thence north between ranges numbered eighty-five (85) and eighty-six (86) west to a point between sections thirteen (13) and twenty-four (24) on the east boundary of township five (5) north, range eighty-six (86) west; thence west through the middle of township five (5) north to the center of township five (5) north, range ninety-one (91) west; thence south to a point between sections three (3) and four (4) on the north boundary of township two (2) north, range ninety-one (91) west; thence west six (6) miles to a point between sections three (3) and four (4) on the north boundary of township two (2) north, range ninety-two (92) west; thence south to a point on the base line between sections thirty-three (33) and thirty-four (34) of township one (1) north, range ninety-two (92) west; thence west along the base line to a point between sections three (3) and four (4) on the north boundary of township one (1) south, range ninety-two (92) west; thence south to a point between sections three (3) and four (4) on the north boundary of township two (2) south, range ninety-two (92) west; thence west to the northwest corner of township two (2) south, range ninety-three (93) west; thence south to the southwest corner of township three (3) south, range ninety-three (93) west; thence east to the northeast corner of township four (4) south, range ninety-two (92) west; thence south to the southeast corner of township four (4) south, range ninety-two (92) west; thence east to the place of beginning.

Excepting from the force and effect of this proclamation all land which may have been prior to the date hereof embraced in any valid entry or covered by a lawful filing duly made in the proper United States land office,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

and all mining claims duly located and held according to the laws of the United States and local rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman or claimant continues to comply with the law under which the entry, filing, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 16th day of October, A. D. 1891, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

It is a very glad incident of the marvelous prosperity which has crowned the year now drawing to a close that its helpful and reassuring touch has been felt by all our people. It has been as wide as our country, and so special that every home has felt its comforting influence. It is too great to be the work of man's power and too particular to be the device of his mind. To God, the beneficent and the all-wise, who makes the labors of men to be fruitful, redeems their losses by His grace, and the measure of whose giving is as much beyond the thoughts of man as it is beyond his deserts, the praise and gratitude of the people of this favored nation are justly due.

Now, therefore, I, Benjamin Harrison, President of the United States of America, do hereby appoint Thursday, the 26th day of November present, to be a day of joyful thanksgiving to God for the bounties of His providence, for the peace in which we are permitted to enjoy them, and for the preservation of those institutions of civil and religious liberty which He gave our fathers the wisdom to devise and establish and us the courage to preserve. Among the appropriate observances of the day are rest from toil, worship in the public congregation, the renewal of family ties about our American firesides, and thoughtful helpfulness toward those who suffer lack of the body or of the spirit.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 13th day of November, A. D. 1891, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas satisfactory proof has been given to me that no tonnage or light-house dues, or other equivalent tax or taxes, are imposed upon vessels of the United States in the ports of the island of Tobago, one of the British West India Islands:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the authority vested in me by section 11 of the act of Congress entitled "An act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes," approved June 19, 1886, do hereby declare and proclaim that from and after the date of this my proclamation shall be suspended the collection of the whole of the tonnage duty which is imposed by said section of said act upon vessels entered in the ports of the United States from any of the ports of the island of Tobago.

Provided, That there shall be excluded from the benefits of the suspension hereby declared and proclaimed the vessels of any foreign country in whose ports the fees or dues of any kind or nature imposed on vessels of the United States, or the import or export duties on their cargoes, are in excess of the fees, dues, or duties imposed on the vessels of such country or on the cargoes of such vessels; but this proviso shall not be held to be inconsistent with the special regulation by foreign countries of duties and other charges on their own vessels, and the cargoes thereof, engaged in their coasting trade, or with the existence between such countries and other states of reciprocal stipulations founded on special conditions and equivalents, and thus not within the treatment of American vessels under the most-favored-nation clause in treaties between the United States and such countries.

And the suspension hereby declared and proclaimed shall continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes shall be continued in the said ports of the island of Tobago and no longer.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 2d day of December, A. D. 1891, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,

Secretary of State.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE ORDERS.

EXECUTIVE MANSION,
Washington, D. C., January 19, 1891.

The death of George Bancroft, which occurred in the city of Washington on Saturday, January 17, at 3.40 o'clock p. m., removes from among the living one of the most distinguished Americans. As an expression of the public loss and sorrow the flags of all the Executive Departments at Washington and the public buildings in the cities through which the funeral party is to pass will be placed at half-mast on to-morrow and until the body of this eminent statesman, scholar, and historian shall rest in the State that gave him to his country and to the world.

By direction of the President:

ELIJAH W. HALFORD, *Private Secretary.*

AMENDMENT OF CIVIL-SERVICE RULES.

JANUARY 26, 1891.

Special Departmental Rule No. 1 is hereby amended by adding to the exceptions from examination therein declared the following:

In the Department of Agriculture, in the office of the Secretary, division of illustration and engraving: One artist.

BENJ. HARRISON.

DEPARTMENT OF STATE,
Washington, January 30, 1891.

SIR:* The Hon. William Windom, Secretary of the Treasury of the United States, died suddenly last night, in the city of New York, at the hour of eleven minutes past 10 o'clock, in the sixty-fourth year of his age. Thus has passed away a man of pure life, an official of stainless integrity, distinguished by long and eminent service in both branches of Congress and by being twice called to administer the national finances. His death has caused deep regret throughout the country, while to the President and those associated with him in the administration of the Government it comes as a personal sorrow.

The President directs that all the Departments of the executive branch of the Government and the officers subordinate thereto shall manifest due respect to the memory of this eminent citizen in a manner consonant with the dignity of the office which he has honored by his devotion to public duty.

The President further directs that the Treasury Department in all its branches in this capital be draped in mourning for the period of thirty days, that on the day of the funeral the several Executive Departments

* Addressed to the heads of the Executive Departments, etc.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

shall be closed, and that on all public buildings throughout the United States the national flag shall be displayed at half-mast.

Very respectfully,

JAMES G. BLAINE.

EXECUTIVE MANSION, *February 13, 1891.*

To the Heads of the Executive Departments:

In token of respect to the memory of Admiral David D. Porter, who died this morning, the President directs that the national flag be displayed at half-mast upon all public buildings throughout the United States until after his funeral shall have taken place, and that on the day of the funeral public business in the Departments at Washington be suspended.

E. W. HALFORD, *Private Secretary.*

GENERAL ORDERS No. 16.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, February 14, 1891.

I. The following order of the War Department is published to the Army:

WAR DEPARTMENT,
Washington, February 14, 1891.

The death of General Sherman is hereby announced in the fitting words of the President in his message to Congress:

[For message see p. 135.]

The following Executive order will be published to the Army:

EXECUTIVE MANSION,
Washington, D. C., February 14, 1891.

It is my painful duty to announce to the country that General William Tecumseh Sherman died this day at 1 o'clock and 50 minutes p. m., at his residence in the city of New York. The Secretary of War will cause the highest military honors to be paid to the memory of this distinguished officer. The national flag will be floated at half-mast over all public buildings until after the burial, and the public business will be suspended in the Executive Departments at the city of Washington and in the city where the interment takes place on the day of the funeral and in all places where public expression is given to the national sorrow during such hours as will enable every officer and employee to participate therein with their fellow-citizens.

BENJ. HARRISON.

The Major-General Commanding will issue the necessary orders to the Army.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

It is ordered, That the War Department be draped in mourning for the period of thirty days, and that all business be suspended therein on the day of the funeral.

L. A. GRANT, *Acting Secretary of War.*

II. On the day of the funeral the troops at every military post will be paraded and this order read to them, after which all labors for the day will cease. The national flag will be displayed at half-staff from the time of the receipt of this order until the close of the funeral. On the day of the funeral a salute of seventeen guns will be fired at half-hour intervals, commencing at 8 o'clock a. m. The officers of the Army will wear the usual badges of mourning, and the colors of the several regiments and battalions will be draped in mourning for a period of six months.

The day and hour of the funeral will be communicated to department commanders by telegraph, and by them to their subordinate commanders. Other necessary orders will be issued hereafter relative to the appropriate funeral ceremonies.

By command of Major-General Schofield:

J. C. KELTON, *Adjutant-General.*

GENERAL ORDER.

NAVY DEPARTMENT, *February 16, 1891.*

The following Executive order, announcing the death of General William Tecumseh Sherman, is published for the information of the Navy and the Marine Corps:

[For Executive order see preceding page.]

In accordance with the order of the President, the Navy Department will be closed and all business suspended therein on the day of the funeral, and the flag at all yards and stations will be displayed at half-mast until after the burial of General Sherman, and in all places where public expression is given to the national sorrow business will be suspended at navy-yards or stations during such hours as will enable officers and employees of the Navy to participate therein with their fellow-citizens.

B. F. TRACY, *Secretary of the Navy.*

AMENDMENT OF CIVIL-SERVICE RULES.

FEBRUARY 18, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Department of Agriculture, in the office of the Secretary: Private secretary to the chief of the division of statistics.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

AMENDMENT OF CIVIL-SERVICE RULES.

FEBRUARY 21, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Department of the Treasury, in the Coast and Geodetic Survey: Clerk to act as confidential clerk and cashier to the disbursing officer.

In the Post-Office Department, office of Assistant Attorney-General: Confidential clerk to the Assistant Attorney-General.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., February 26, 1891.

In accordance with an act of Congress approved September 27, 1890, the following limits to the punishment of enlisted men, together with the accompanying regulations, are established for the government in time of peace of all courts-martial, and will take effect thirty days after the date of this order:

I. Subject to the modifications authorized in subdivision 3 of this section, the punishment for desertion shall not exceed the following:

1. In the case of a soldier who surrenders—

(*a*) When such surrender is made within thirty days after desertion, confinement at hard labor, with forfeiture of pay and allowances, for three months.

(*b*) When such surrender is made after an absence of more than thirty days and not more than ninety days, confinement at hard labor, with forfeiture of pay and allowances, for six months.

(*c*) When such surrender is made after an absence of more than ninety days, dishonorable discharge, with forfeiture of all pay and allowances, and confinement at hard labor for eighteen months: *Provided*, That in the case of a deserter who had not been more than three months in the service the confinement shall not exceed ten months.

2. In the case of a soldier who does not surrender—

(*a*) When at the time of desertion he shall have been less than three months in the service, dishonorable discharge, with forfeiture of all pay and allowances, and confinement at hard labor for one year.

(*b*) When at the time of desertion he shall have been three months or more, but less than six months, in the service, dishonorable discharge, with forfeiture of all pay and allowances, and confinement at hard labor for eighteen months.

(*c*) When at the time of desertion he shall have been six months or more in the service, dishonorable discharge, with forfeiture of all pay and allowances, and confinement at hard labor for two years and six months.

3. The foregoing limitations will be subject to modification under the following conditions:

(*a*) The punishment of a deserter may be increased by one year of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

confinement at hard labor in consideration of each previous conviction of desertion, and also by dishonorable discharge and forfeiture of all pay and allowances when not already authorized.

(*b*) The punishment for desertion when joined in by two or more soldiers in the execution of a conspiracy, or for desertion in the presence of an outbreak of Indians or of any unlawful assemblage which the troops may be opposing, shall not exceed dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor for five years.

II. Except as herein otherwise indicated, punishments shall not exceed the limits prescribed in the following table:

Offenses.	Limit of punishment.
Under seventeenth article of war.	
Selling horse or arms, either or both	Three years' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Selling accouterments	Four months' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Selling clothing	Two months' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Losing or spoiling horse or arms through neglect.	Four months' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Losing or spoiling accouterments or clothing through neglect.	One month's confinement at hard labor; for noncommissioned officer, reduction in addition thereto.*
Under twentieth article of war.	
Behaving himself with disrespect toward his commanding officer.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Under twenty-fourth article of war.	
Refusal to obey or using violence to officer or noncommissioned officer while quelling quarrels or disorders.	Dishonorable discharge, with forfeiture of all pay and allowances, and imprisonment for 2 years.
Under thirty-first article of war.	
Lying out of quarters	Forfeiture of $2; corporal, $3; sergeant, $4.
Under thirty-second article of war.	
Absence without leave—	
Less than 1 hour (not including absence from a roll call).	Forfeiture of 50 cents; corporal, $1; sergeant, $2.
Less than 1 hour (including absence from a roll call).	Forfeiture of $1; corporal, $2; sergeant, $3; first sergeant or noncommissioned officer of higher grade, $4.
From 1 to 6 hours	Forfeiture of $2; corporal, $3; sergeant, $4; first sergeant or noncommissioned officer of higher grade, $5.
From 6 to 12 hours	Forfeiture of $3; corporal, $4; sergeant, $6; first sergeant or noncommissioned officer of higher grade, $7.
From 12 to 24 hours	Forfeiture of $5; corporal, $6; sergeant, $7; first sergeant or noncommissioned officer of higher grade, $10.

*In addition to the stoppages "sufficient for repairing the loss or damage," which the law requires the court-martial to adjudge. The court's action under this requirement in the case of sale or loss through neglect of clothing shall be limited to a confirmation of the charge made against the offender on his clothing account.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Offenses.	Limit of punishment.
Under thirty-second article of war—continued.	
Absence without leave—continued.	
From 24 to 48 hours	Forfeiture of $6 and 5 days' confinement at hard labor. For corporal, forfeiture of $8; sergeant, $10; first sergeant or noncommissioned officer of higher grade, $12; or for all noncommissioned officers, reduction.
From 2 to 9 days	Forfeiture of $10 and 10 days' confinement at hard labor; for noncommissioned officer, reduction in addition thereto.
From 10 to 29 days	Forfeiture of $20 and 1 month's confinement at hard labor; for noncommissioned officer, reduction in addition thereto.
From 30 to 90 days	Three months' confinement at hard labor and forfeiture of $10 per month for same period; for noncommissioned officer, reduction in addition thereto.
For more than 90 days	Dishonorable discharge and forfeiture of all pay and allowances and 3 months' confinement at hard labor.
Under thirty-third article of war.	
Failure to repair at the time fixed, etc., to the place of parade for—	
Reveille or retreat roll call	Forfeiture of 50 cents; corporal, $1; sergeant, $2; first sergeant, $3.
Guard detail	Forfeiture of $5; corporal, $8; sergeant, $10.
Fatigue detail	Forfeiture of $2; corporal, $3; sergeant, $5.
Dress parade	
The weekly inspection	
Target practice	
Drill	
Guard mounting (by musician)	
Stable duty	
Under thirty-eighth article of war.	
Drunkenness on—	
Guard	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Duty as company cook	Forfeiture of $10.
Extra or special duty	Forfeiture of $6; for noncommissioned officer, reduction and forfeiture of $10.
At drill	
At target practice	
At parade	
At inspection	
At inspection of company guard detail	
At stable duty	
Under fortieth article of war.	
Quitting guard	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Under fifty-first article of war.	
Persuading soldiers to desert	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Under sixtieth article of war	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' imprisonment.
Under sixty-second article of war.	
Manslaughter	Dishonorable discharge, forfeiture of all pay and allowances, and 10 years' imprisonment.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Offenses.	Limit of punishment.
Under sixty-second article of war—continued.	
Assault with intent to kill	Dishonorable discharge, forfeiture of all pay and allowances, and 10 years' imprisonment.
Burglary	Dishonorable discharge, forfeiture of all pay and allowances, and 5 years' imprisonment.
Forgery	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' imprisonment.
Perjury	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' imprisonment.
False swearing	Dishonorable discharge, forfeiture of all pay and allowances, and 2 years' imprisonment.
Robbery	Dishonorable discharge, forfeiture of all pay and allowances, and 6 years' imprisonment.
Larceny or embezzlement of property of the value of—*	
More than $100	Dishonorable discharge, forfeiture of all pay and allowances, and 4 years' imprisonment.
$100 or less and more than $50	Dishonorable discharge, forfeiture of all pay and allowances, and 3 years' imprisonment.
$50 or less and more than $20	Dishonorable discharge, forfeiture of all pay and allowances, and 2 years' imprisonment.
$20 or less	Dishonorable discharge, forfeiture of all pay and allowances, and 1 year's imprisonment.
Disobedience of orders, involving willful defiance of the authority of a noncommissioned officer in charge of a guard or party.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Using threatening or insulting language or behaving in an insubordinate manner to a noncommissioned officer while in the execution of his office.	One month's confinement at hard labor and forfeiture of $10; for noncommissioned officer, reduction in addition thereto.
Absence from fatigue duty	Forfeiture of $4; corporal, $5; sergeant, $6.
Absence from extra or special duty.	Forfeiture of $4; corporal, $5; sergeant, $6.
Absence from duty as company or hospital cook.	Forfeiture of $10.
Introducing liquor into post or camp in violation of standing orders.	Forfeiture of $3; for noncommissioned officer, reduction and forfeiture of $5.
Drunkenness at post or in quarters.	Forfeiture of $3; for noncommissioned officer, reduction and forfeiture of $5.
Drunkenness and disorderly conduct, causing the offender's arrest and conviction by civil authorities at a place within 10 miles of his station.	Forfeiture of $10 and 7 days' confinement at hard labor; for noncommissioned officer, reduction and forfeiture of $12.
Noisy or disorderly conduct in quarters.	Forfeiture of $4; corporal, $7; sergeant, $10.
Abuse by noncommissioned officer of his authority over an inferior.	Reduction, 3 months' confinement at hard labor, and forfeiture of $10 per month for the same period.
Noncommissioned officer encouraging gambling.	Reduction and forfeiture of $5.
Noncommissioned officer making false report.	Reduction, forfeiture of $8, and 10 days' confinement at hard labor.
Sentinel allowing a prisoner under his charge to escape through neglect.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period.

* In specifications to charges of larceny or embezzlement the value of the property shall be stated.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Offenses.	Limit of punishment.
Under sixty-second article of war—continued.	
Sentinel willfully suffering prisoner under his charge to escape.	Dishonorable discharge, forfeiture of all pay and allowances, and 1 year's imprisonment.
Sentinel allowing a prisoner under his charge to obtain liquor.	Two months' confinement at hard labor and forfeiture of $10 per month for the same period.
Sentinel or member of guard drinking liquor with prisoners.	Two months' confinement at hard labor and forfeiture of $10 per month for the same period.
Disrespect or affront to a sentinel..	Two months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Resisting or disobeying sentinel in lawful execution of his duty.	Six months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.
Lewd or indecent exposure of person.	Three months' confinement at hard labor and forfeiture of $10 per month for the same period; for noncommissioned officer, reduction in addition thereto.

III. (1) When a soldier shall be found guilty of an offense cognizable when committed for the first time by an inferior court-martial, his punishment therefor may exceed the prescribed limit by one-half if it shall appear that during his current enlistment and within two years preceding his trial he has been once convicted of one offense or more; it may be doubled if he has been twice so convicted, and it may be increased by one-half of the prescribed limit for every such previous conviction: *Provided*, That upon proof of five or more previous convictions the punishment may be that authorized for a fifth conviction, or dishonorable discharge with forfeiture of all pay and allowances. When found guilty of an offense cognizable only by a general court-martial, and on proof of five or more previous convictions within the two years, dishonorable discharge with forfeiture of all pay and allowances may be added to any confinement at hard labor. And when a noncommissioned officer shall be found guilty of an offense not punishable by reduction, reduction may be added to the punishment if it shall appear that he has been convicted of a military offense within one year and during his current enlistment.

(2) After arriving at the findings a court-martial may be opened to receive evidence of previous convictions. These convictions must be proved by the records of previous trials or by duly authenticated orders promulgating the same, showing the actual offenses of which the soldier was convicted, except in the cases of convictions by summary court, when a duly authenticated copy of the record of said court shall be deemed sufficient proof. Charges forwarded to the authority ordering a general court-martial or submitted to a summary garrison or regimental court must be accompanied by the proper evidence of such previous convictions as may have to be considered in determining upon a sentence. Paragraphs 1017 and 1018 of the Regulations are superseded by this order.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

IV. This order prescribes the *maximum* limit of punishment for the offenses named, and this limit is intended for those cases where the severest punishment should be awarded. In other cases the punishment must be graded down according to the extenuating circumstances. Offenses not herein provided for remain punishable as authorized by the Articles of War and the custom of the service.

V. Summary courts are subject to the restrictions named in the eighty-third article of war. Soldiers against whom charges may be preferred for trial by summary court shall not be confined in the guardhouse, but shall be placed in arrest in quarters before and during trial and while awaiting sentence, unless in particular cases restraint may be deemed necessary.

VI. The following substitutions for punishments named in Section II of this order are authorized, at the discretion of the court:

Detention of pay to the extent of four times the amount of the forfeiture; two days' confinement at hard labor for $1 of forfeited pay; one day's solitary confinement on bread and water diet for two days' confinement at hard labor or for $1 of forfeited pay: *Provided*, That a noncommissioned officer not sentenced to reduction shall not be subject to confinement: *And provided*, That solitary confinement shall not exceed fourteen days at one time nor be repeated until fourteen days have elapsed, and shall not exceed eighty-four days in one year. Wherever the limit herein prescribed for an offense or offenses may be brought within the punishing power of inferior courts-martial, as defined by the eighty-third article of war, by substitution of punishment under the provisions of this section, the aforesaid courts shall be deemed to have jurisdiction of such offense or offenses.

VII. Sergeants shall not if they object thereto be brought to trial before regimental, garrison, or summary courts-martial without the authority of the officer competent to order their trial by general court-martial; nor shall sergeants of the post noncommissioned staff be reduced, but they may be dishonorably discharged whenever reduction is included in the limit of punishment. Paragraphs 105 and 254 of the Regulations, the latter as amended by General Orders, No. 67, series of 1890, Adjutant-General's Office, are modified accordingly.

BENJ. HARRISON.

By the President:

REDFIELD PROCTOR, *Secretary of War.*

AMENDMENT OF CIVIL-SERVICE RULES.

MARCH 4, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Department of Agriculture, in the office of the Secretary: Clerk to act as appointment clerk.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

AMENDMENT OF CIVIL-SERVICE RULES.

MARCH 16, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Post-Office Department, office of the First Assistant Postmaster-General: Assistant superintendent of free delivery.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

APRIL 3, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Treasury Department, office of the Secretary: One clerk in the office of the disbursing clerk.

BENJ. HARRISON.

CIVIL SERVICE.—CLASSIFICATION OF INDIAN SERVICE.

DEPARTMENT OF THE INTERIOR,
Washington, April 13, 1891.

By direction of the President of the United States and in accordance with the third clause of section 6 of an act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883—

It is ordered, That all physicians, school superintendents and assistant superintendents, school-teachers, and matrons in the Indian service be, and they are hereby, arranged in the following classes, without regard to salary or compensation:

Class 1. Physicians.
Class 2. School superintendents and assistant superintendents.
Class 3. School-teachers.
Class 4. Matrons.

Provided, That no person who may be required by law to be appointed to an office by and with the advice and consent of the Senate, and that no person who may be employed merely as a laborer or workman or in connection with any contract schools, shall be considered as within this classification, and no person so employed shall be assigned to the duties of a classified place.

It is further ordered, That no person shall be admitted to any place not excepted from examination by the civil-service rules in any of the classes above designated until he or she shall have passed an appropriate examination under the United States Civil Service Commission and his or her eligibility has been certified to by said Commission or the appropriate board of examiners.

JOHN W. NOBLE, *Secretary.*

EXECUTIVE MANSION, *April 13, 1891.*

The SECRETARY OF THE INTERIOR:

I approve of the within classification, and if you see no reason to suggest any further modification you will please put it in force.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

AMENDMENTS OF CIVIL-SERVICE RULES.

APRIL 13, 1891.

Clause (*c*) of section 2 of General Rule III is hereby revoked, and clauses (*d*), (*e*), (*f*), (*g*), and (*h*) are lettered, respectively, (*c*), (*d*), (*e*), (*f*), and (*g*).

BENJ. HARRISON.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER.

EXECUTIVE MANSION, *May 25, 1891.*

It is hereby ordered, That the several Executive Departments and the Government Printing Office be closed on Saturday, the 30th instant, to enable the employees to participate in the decoration of the graves of the soldiers and sailors who fell in defense of the Union during the War of the Rebellion.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., July 6, 1891.

To the People of the United States:

The President, with a profound feeling of sorrow, announces the death of Hannibal Hamlin, at one time Vice-President of the United States, who died at Bangor, Me., on the evening of Saturday, July 4.

Few men in this country have filled more important and more distinguished public positions than Mr. Hamlin, and in recognition of his many eminent and varied services and as an expression of the great respect and reverence which are felt for his memory it is ordered that the national flag be displayed at half-mast upon the public buildings of the United States on the day of his funeral.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,
Acting Secretary of State.

AMENDMENTS OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *August 6, 1891.*

The civil-service rules are hereby amended as follows:

GENERAL RULE II.

In line 1 strike out the word "four" and insert in lieu thereof the word "five." Add at the end of the rule the following:

5. The classified Indian service.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

GENERAL RULE III.

Strike out paragraphs 1 and 2 of section 6 of General Rule III and insert in lieu thereof the following:

So far as practicable and useful, competitive examinations shall be established in the classified civil service to test fitness for promotion, under such regulations as the Commission may make. Until such regulations have been applied to any part of the classified service promotions therein shall be made in the manner prescribed by the rule applicable thereto.

DEPARTMENTAL RULE VI.

Strike out the first sentence of section 6 and transfer the remaining sentence to section 5. Change the numbers of sections 7, 8, 9, and 10 to 6, 7, 8, and 9, respectively.

CUSTOMS RULE III.

Strike out the first sentence of section 5 and transfer the remaining sentence to section 4. Change the numbers of sections 6, 7, 8, and 9 to 5, 6, 7, and 8, respectively.

POSTAL RULE III.

Strike out the first sentence of section 5 and transfer the remaining sentence to section 4. Change the numbers of sections 6, 7, 8, and 9 to 5, 6, 7, and 8, respectively.

RAILWAY MAIL RULE III.

Strike out the first sentence of section 7 and transfer the remaining sentence to section 4. Change the numbers of sections 8, 9, 10, 11, and 12 to 7, 8, 9, 10, and 11, respectively.

RAILWAY MAIL RULE II.

Insert an additional clause to section 5, as follows:

(*f*) Transfer clerks at junction points or stations where not more than two such clerks are employed.

RAILWAY MAIL RULE IV.

Insert an additional proviso at the end of clause (*b*) of section 2, as follows:

Provided further, That on a line on which the service does not require the full time of a clerk, and one can be employed jointly with the railroad company, the appointment may be made without examination and certification, with the consent of the Commission, upon a statement of the facts by the General Superintendent; but no clerk so appointed shall be eligible for transfer or appointment to any other place in the service.

In section 6, line 3, strike out the word "twenty" and insert in lieu thereof the word "ten."

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In section 7, line 6, strike out the word "thirty" and insert in lieu thereof the word "sixty;" in the same line strike out the word "to" and insert in lieu thereof the words "in periods of;" in line 7 strike out the words "who have been in the railway mail service."

BENJ. HARRISON.

CIVIL SERVICE.—INDIAN RULES.

INDIAN RULE I.

The classified Indian service shall include all the physicians, school superintendents, assistant superintendents, school-teachers, and matrons in that service, classified under the provisions of section 6 of the act to regulate and improve the civil service of the United States, approved January 16, 1883.

INDIAN RULE II.

1. To test fitness for admission to the classified Indian service examinations of a practical character shall be provided on such subjects as the Commission may direct for physician, superintendent, assistant superintendent, teachers, and matrons.

2. The following age limitations shall apply to applicants for examination for the classified Indian service: For physician, not under 25 years of age nor over 45; for superintendent, not under 25 nor over 50; for assistant superintendent and for teacher, not under 20 nor over 50; for matron, not under 25 nor over 55: *Provided*, That these limitations shall not apply to the wives of superintendents of Indian schools who apply for the position of matron, nor shall the maximum limitations apply to persons allowed preference under section 1754, Revised Statutes, by the Commission.

3. Blank forms of application shall be furnished by the Commission, and the date of reception and also of approval by the Commission of each application shall be noted on the application paper.

INDIAN RULE III.

1. The papers of every examination shall be marked under regulations made by the Commission. Each competitor shall be graded on a scale of 100, according to the general average determined by the markings.

2. Immediately after the general average shall have been ascertained each competitor shall be notified that he has passed or has failed to pass.

3. A competitor who has failed to pass an examination may, with the consent of the Commission, be allowed reexamination at any time within six months from the date of failure without filing a new application; but if he be not allowed reexamination within six months he shall be required to file a new application before being again examined.

4. No eligible shall be allowed reexamination during the period of his eligibility unless he shall furnish satisfactory evidence to the Commission that at the time of his examination, because of illness or other good cause, he was incapable of doing himself justice; and his rating on such reexamination shall cancel and be a substitute for his rating on his former examination.

5. All competitors whose claim to preference under section 1754 of the Revised Statutes have been allowed by the Commission who attain a general average of 65 per cent or over, and all other competitors who attain a general average of 70 per cent or over, shall be eligible for appointment to the place for which they were examined. The names of all the competitors thus rendered eligible shall be entered in the order of grade on the proper register of eligibles.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

6. When two or more eligibles are of the same grade, preference in certification shall be determined by the order in which the application papers are filed.

7. For the Indian service there shall be four districts and a separate register of eligibles for each grade of examination for each district, the names of males and females being listed separately on each register. The districts shall be comprised as follows: No. 1, of the States of Michigan, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota, South Dakota, Montana, and Wyoming; No. 2, of the States of Idaho, Washington, Oregon, Nevada, and that part of California lying north of the thirty-seventh parallel of latitude, and the Territory of Utah; No. 3, of that part of California lying south of the thirty-seventh parallel of latitude, the Territories of Arizona, New Mexico, Oklahoma, the Indian Territory, and the States of Colorado, Kansas, Missouri, Arkansas, Louisiana, and Texas; No. 4, of all the States of the United States not embraced in any of the foregoing districts, together with the District of Columbia. Upon the written request of any eligible his name shall be entered upon the register of any one or more of the districts other than that in which he resides: *Provided*, That he shall state in writing his willingness to accept service wherever assigned in any such district.

8. The period of eligibility to appointment shall be one year from the date on which the name of the eligible is entered on the register unless otherwise determined by regulation of the Commission.

INDIAN RULE IV.

1. All vacancies, unless filled by promotion, transfer, or reappointment, shall be filled in the following manner:

(*a*) The Commissioner of Indian Affairs, through the Secretary of the Interior, shall, in form and manner to be prescribed by the Commission, request the certification to him of male or female eligibles from the district in which the vacancy exists.

(*b*) If fitness for the vacant place is tested by competitive examination, the Commission shall certify from the proper register of the district in which the vacancy exists the names of the three eligibles thereon of the sex called for having the highest averages: *Provided*, That the eligibles upon any register who have been allowed preference under section 1754 of the Revised Statutes shall be certified according to their grade before all other eligibles thereon: *And provided further*, That if the vacancy is in the grade of matron or teacher, and the wife of the superintendent of the school in which the vacancy exists is an eligible, she may be given preference in certification if the appointing officer so requests.

2. Of the three names certified to him the appointing officer shall select one, and if at the time of making this selection there are more vacancies than one he may select more than one: *Provided*, That if the appointing officer to whom certification has been made shall object in writing to any eligible named in the certificate, stating that because of physical incapacity or for other good cause particularly specified such eligible is not capable of properly performing the duties of the vacant place, the Commission may, upon investigation and ascertainment of the fact that the objection made is good and well founded, direct the certification of another eligible in place of the one objected to.

3. Each person thus designated for appointment shall be notified, and upon indicating acceptance shall be appointed for a probationary period—if a physician, for six months, and if a school employee, to expire at the end of the then current school year—at the end of which period, if his conduct and capacity be satisfactory to the appointing officer, he shall receive absolute appointment; but if his conduct and capacity be not satisfactory to said officer he shall be so notified, and this notification shall be his discharge from the service: *Provided*, That any probationer may be discharged during probation for misconduct or evident unfitness or incapacity.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

4. The Commissioner of Indian Affairs shall require the officer under whom a probationer may be serving to carefully observe and report in writing upon the services rendered by and the character and qualifications of such probationer as to punctuality, industry, habits, ability, and adaptability. These reports shall be preserved on file, and the Commission may prescribe the form and manner in which they shall be made.

5. In case of the sudden occurrence of a vacancy in any school during a school term which the public interest requires to be immediately filled, the Commissioner of Indian Affairs is authorized, in his discretion, to provide for the temporary filling of the same until a regular appointment can be made under the provisions of sections 1, 2, and 3 of this rule, and when such regular appointment is made the temporary appointment shall terminate. All temporary appointments made under this authority and their termination shall at once be reported to the Commission.

INDIAN RULE V.

Until promotion regulations shall have been applied to the classified Indian service promotions therein may be made upon any test of fitness determined upon by the promoting officer if not disapproved by the Commission: *Provided*, That preference in promotion in any school shall be given to those longest in the service unless there are good reasons to the contrary; and when such reasons prevail they shall, through the proper channels, be reported to the Commission: *And provided further*, That no one shall be promoted to any grade he could not enter by original appointment under the minimum age limitation applied thereto by Indian Rule II, section 2, and that no one shall be promoted to the grade of physician from any other grade.

INDIAN RULE VI.

Subject to the conditions stated in Rule IV, transfers may be made after absolute appointment from one school to another and from one district to another under such regulations as the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, may prescribe.

INDIAN RULE VII.

Upon the requisition of the Commissioner of Indian Affairs, through the Secretary of the Interior, the Commission shall certify for reinstatement in a grade or class no higher than that in which he was formerly employed any person who within one year next preceding the date of the requisition has through no delinquency or misconduct been separated from the classified Indian service: *Provided*, That certification may be made, subject to the other conditions of this rule, for the reinstatement of any person who served in the military or naval service of the United States in the late War of the Rebellion and was honorably discharged therefrom, without regard to the length of time he has been separated from the service.

INDIAN RULE VIII.

The Commissioner of Indian Affairs shall report to the Commission—

(*a*) Every probational and every absolute appointment in the classified Indian service.

(*b*) Every refusal to make an absolute appointment and the reason therefor, and every refusal to accept an appointment.

(*c*) Every separation from the classified Indian service and the cause of such separation, whether death, resignation, or dismissal.

(*d*) Every restoration to the classified Indian service.

These rules shall take effect October 1, 1891.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

AMENDMENT OF CIVIL-SERVICE RULES.

OCTOBER 9, 1891.

General Rule III, clause 6, is hereby amended by striking out the words "under such regulations as the Commission may make" and substituting therefor the following: "under regulations to be approved by the President;" so that as amended the clause will read as follows:

So far as practicable and useful competitive examinations shall be established in the classified civil service to test fitness for promotion under regulations to be approved by the President.

BENJ. HARRISON.

Whereas civil-service rules for the Indian service were approved to take effect October 1, 1891; and

Whereas it is represented to me by the Civil Service Commission in a communication of this date that no persons have as yet been examined for appointment to that service, and that it seems probable that complete arrangements for putting said rules into full effect will not be made sooner than March 1, 1892:

It is therefore ordered, That said Indian rules shall take effect March 1, 1892, instead of October 1, 1891: *Provided*, That said rules shall become operative and take effect in any district of the Indian service as soon as an eligible register for such district shall be provided, if it shall be prior to the date above fixed.

EXECUTIVE MANSION, *October 13, 1891.*

Upon the recommendation of the Commission the foregoing order is approved.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

NOVEMBER 24, 1891.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination the following:

In the Department of the Treasury, in the Bureau of Statistics: One confidential clerk to the Chief of the Bureau.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, December 4, 1891.

SIR:* In my message to the first session of the Fifty-first Congress I said:

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

*Addressed to the heads of the Executive Departments.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In some of the Departments this suggestion has been acted upon in part at least, and I now direct that in your Department a plan be at once devised and put in operation for keeping an efficiency record of all persons within the classified service, with a view to placing promotions wholly upon the basis of merit.

It is intended to make provision for carrying into effect the stipulations of the civil-service law in relation to promotions in the classified service. To that end the rule requiring compulsory examination has been rescinded. In my opinion the examination for promotion of those who present themselves should be chiefly, if not wholly, upon their knowledge of the work of the bureau or Department to which they belong and the record of efficiency made by them during their previous service. I think the records of efficiency kept from day to day should be open to the inspection of the clerks.

Very respectfully, yours,

BENJ. HARRISON.

THIRD ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 9, 1891.*

To the Senate and House of Representatives:

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

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

The work of the State Department during the last year has been characterized by an unusual number of important negotiations and by diplomatic results of a notable and highly beneficial character. Among these are the reciprocal trade arrangements which have been concluded, in the exercise of the powers conferred by section 3 of the tariff law, with the Republic of Brazil, with Spain for its West India possessions, and with Santo Domingo. Like negotiations with other countries have been much

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

advanced, and it is hoped that before the close of the year further definitive trade arrangements of great value will be concluded.

In view of the reports which had been received as to the diminution of the seal herds in the Bering Sea, I deemed it wise to propose to Her Majesty's Government in February last that an agreement for a closed season should be made pending the negotiations for arbitration, which then seemed to be approaching a favorable conclusion. After much correspondence and delays, for which this Government was not responsible, an agreement was reached and signed on the 15th of June, by which Great Britain undertook from that date and until May 1, 1892, to prohibit the killing by her subjects of seals in the Bering Sea, and the Government of the United States during the same period to enforce its existing prohibition against pelagic sealing and to limit the catch by the fur-seal company upon the islands to 7,500 skins. If this agreement could have been reached earlier in response to the strenuous endeavors of this Government, it would have been more effective; but coming even as late as it did it unquestionably resulted in greatly diminishing the destruction of the seals by the Canadian sealers.

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

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

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

The law of the last Congress providing a system of inspection for our meats intended for export, and clothing the President with power to exclude foreign products from our market in case the country sending them should perpetuate unjust discriminations against any product of the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

United States, placed this Government in a position to effectively urge the removal of such discriminations against our meats. It is gratifying to be able to state that Germany, Denmark, Italy, Austria, and France, in the order named, have opened their ports to inspected American pork products. The removal of these restrictions in every instance was asked for and given solely upon the ground that we have now provided a meat inspection that should be accepted as adequate to the complete removal of the dangers, real or fancied, which had been previously urged. The State Department, our ministers abroad, and the Secretary of Agriculture have cooperated with unflagging and intelligent zeal for the accomplishment of this great result. The outlines of an agreement have been reached with Germany looking to equitable trade concessions in consideration of the continued free importation of her sugars, but the time has not yet arrived when this correspondence can be submitted to Congress.

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

> The Provisional Government has learned by the cablegrams of the Associated Press that the transport *Itata*, detained in San Diego by order of the United States for

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

The collapse of the Government of Balmaceda brought about a condition which is unfortunately too familiar in the history of the Central and South American States. With the overthrow of the Balmaceda Government he and many of his councilors and officers became at once fugitives for their lives, and appealed to the commanding officers of the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

foreign naval vessels in the harbor of Valparaiso and to the resident foreign ministers at Santiago for asylum. This asylum was freely given, according to my information, by the naval vessels of several foreign powers and by several of the legations at Santiago. The American minister as well as his colleagues, acting upon the impulse of humanity, extended asylum to political refugees whose lives were in peril. I have not been willing to direct the surrender of such of these persons as are still in the American legation without suitable conditions.

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

On the 16th of October an event occurred in Valparaiso so serious and tragic in its circumstances and results as to very justly excite the indignation of our people and to call for prompt and decided action on the part of this Government. A considerable number of the sailors of the United States steamship *Baltimore*, then in the harbor at Valparaiso, being upon shore leave and unarmed, were assaulted by armed men nearly simultaneously in different localities in the city. One petty officer was killed outright and seven or eight seamen were seriously wounded, one of whom has since died. So savage and brutal was the assault that several of our sailors received more than two and one as many as eighteen stab wounds. An investigation of the affair was promptly made by a board of officers of the *Baltimore*, and their report shows that these assaults were unprovoked, that our men were conducting themselves in a peaceable and orderly manner, and that some of the police of the city took part in the assault and used their weapons with fatal effect, while a few others, with some well-disposed citizens, endeavored to protect our men. Thirty-six of our sailors were arrested, and some of them while being taken to prison were cruelly beaten and maltreated. The fact that they were all discharged, no criminal charge being lodged against any one of them, shows very clearly that they were innocent of any breach of the peace.

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

facts did not exist this Government would confidently expect full and prompt reparation.

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

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

The adjournment of the Senate without action on the pending acts for the suppression of the slave traffic in Africa and for the reform of the revenue tariff of the Independent State of the Kongo left this Government unable to exchange those acts on the date fixed, July 2, 1891. A *modus vivendi* has been concluded by which the power of the Kongo State to levy duties on imports is left unimpaired, and by agreement of all the signatories to the general slave-trade act the time for the exchange of ratifications on the part of the United States has been extended to February 2, 1892.

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

The Chinese Government has declined to receive Mr. Blair as the minister of the United States on the ground that as a participant while a Senator in the enactment of the existing legislation against the introduction of Chinese laborers he has become unfriendly and objectionable to China. I have felt constrained to point out to the Chinese Government

*See pp. 59–60.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the untenableness of this position, which seems to rest as much on the unacceptability of our legislation as on that of the person chosen, and which if admitted would practically debar the selection of any representative so long as the existing laws remain in force.

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

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

The Government and people of Spain propose to celebrate the four hundredth anniversary of the discovery of America by holding an exposition at Madrid, which will open on the 12th of September and continue until the 31st of December, 1892. A cordial invitation has been extended to the United States to take part in this commemoration, and as Spain was one of the first nations to express the intention to participate in the World's Columbian Exposition at Chicago, it would be very appropriate for this Government to give this invitation its friendly promotion.

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

The annual report of the Maritime Canal Company of Nicaragua

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

A guaranty of the bonds of the canal company to an amount necessary to the completion of the canal could, I think, be so given as not to involve any serious risk of ultimate loss. The things to be carefully guarded are the completion of the work within the limits of the guaranty, the subrogation of the United States to the rights of the first-mortgage bondholders for any amounts it may have to pay, and in the meantime a control of the stock of the company as a security against mismanagement and loss. I

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

most sincerely hope that neither party nor sectional lines will be drawn upon this great American project, so full of interest to the people of all our States and so influential in its effects upon the prestige and prosperity of our common country.

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

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

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

International copyright has been secured, in accordance with the conditions of the act of March 3, 1891, with Belgium, France, Great Britain and the British possessions, and Switzerland, the laws of those countries

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

permitting to our citizens the benefit of copyright on substantially the same basis as to their own citizens or subjects.

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

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

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

During the twelve months from October 1, 1890, to September 30, 1891, the total value of our foreign commerce (imports and exports combined) was $1,747,806,406, which was the largest of any year in the history of the United States. The largest in any previous year was in 1890, when our commerce amounted to $1,647,139,093, and the last year exceeds this enormous aggregate by over one hundred millions. It is interesting, and to some will be surprising, to know that during the year ending September 30, 1891, our imports of merchandise amounted to $824,715,270, which was an increase of more than $11,000,000 over the value of the imports of the corresponding months of the preceding year, when the imports of merchandise were unusually large in anticipation of the tariff

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

legislation then pending. The average annual value of the imports of merchandise for the ten years from 1881 to 1890 was $692,186,522, and during the year ending September 30, 1891, this annual average was exceeded by $132,528,469.

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

Before the influence of the prospective silver legislation was felt in the market silver was worth in New York about $0.955 per ounce. The ablest advocates of free coinage in the last Congress were most confident in their predictions that the purchases by the Government required by the law would at once bring the price of silver to $1.2929 per ounce, which would make the bullion value of a dollar 100 cents and hold it there. The prophecies of the antisilver men of disasters to result from the coinage of $2,000,000 per month were not wider of the mark. The friends of free silver are not agreed, I think, as to the causes that brought their hopeful predictions to naught. Some facts are known. The exports of silver from London to India during the first nine months of this calendar year fell off over 50 per cent, or $17,202,730, compared with the same months of the preceding year. The exports of domestic silver bullion from this country, which had averaged for the last ten years over $17,000,000, fell in the last fiscal year to $13,797,391, while for the first time in recent years the imports of silver into this country exceeded the exports by the sum of $2,745,365. In the previous year the net exports of silver from the United States amounted to $8,545,455. The production of the United States increased from 50,000,000 ounces in 1889 to 54,500,000 in 1890. The Government is now buying and putting aside annually 54,000,000 ounces, which, allowing for 7,140,000 ounces of new bullion used in the arts, is 6,640,000 more than our domestic products available for coinage.

I hope the depression in the price of silver is temporary and that a further trial of this legislation will more favorably affect it. That the increased volume of currency thus supplied for the use of the people was needed and that beneficial results upon trade and prices have followed this legislation I think must be very clear to everyone. Nor should it

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

be forgotten that for every dollar of these notes issued a full dollar's worth of silver bullion is at the time deposited in the Treasury as a security for its redemption. Upon this subject, as upon the tariff, my recommendation is that the existing laws be given a full trial and that our business interests be spared the distressing influence which threats of radical changes always impart. Under existing legislation it is in the power of the Treasury Department to maintain that essential condition of national finance as well as of commercial prosperity—the parity in use of the coined dollars and their paper representatives. The assurance that these powers would be freely and unhesitatingly used has done much to produce and sustain the present favorable business conditions.

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

The producers of silver are entitled to just consideration, but they should not forget that the Government is now buying and putting out of the market what is the equivalent of the entire product of our silver mines. This is more than they themselves thought of asking two years ago. I believe it is the earnest desire of a great majority of the people, as it is mine, that a full coin use shall be made of silver just as soon as the cooperation of other nations can be secured and a ratio fixed that will give circulation equally to gold and silver. The business of the world requires the use of both metals; but I do not see any prospect of gain, but much of loss, by giving up the present system, in which a full use is made of gold and a large use of silver, for one in which silver alone will circulate. Such an event would be at once fatal to the further progress of the silver movement. Bimetallism is the desired end, and the true friends of silver will be careful not to overrun the goal and bring in silver monometallism with its necessary attendants—the loss of our gold to Europe and the relief of the pressure there for a larger currency. I have endeavored by the use of official and unofficial agencies to keep a close observation of the state of public sentiment in Europe upon this

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

question and have not found it to be such as to justify me in proposing an international conference. There is, however, I am sure, a growing sentiment in Europe in favor of a larger use of silver, and I know of no more effectual way of promoting this sentiment than by accumulating gold here. A scarcity of gold in the European reserves will be the most persuasive argument for the use of silver.

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

The presence of a large cash surplus in the Treasury has for many years been the subject of much unfavorable criticism, and has furnished an argument to those who have desired to place the tariff upon a purely revenue basis. It was agreed by all that the withdrawal from circulation of so large an amount of money was an embarrassment to the business of the country and made necessary the intervention of the Department at frequent intervals to relieve threatened monetary panics. The surplus on March 1, 1889, was $183,827,190.29. The policy of applying this surplus to the redemption of the interest-bearing securities of the United States was thought to be preferable to that of depositing it without interest in selected national banks. There have been redeemed since the date last mentioned of interest-bearing securities $259,079,350, resulting in a reduction of the annual interest charge of $11,684,675. The money which had been deposited in banks without interest has been gradually withdrawn and used in the redemption of bonds.

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

The report of the Secretary of War exhibits the results of an intelligent, progressive, and businesslike administration of a Department which has been too much regarded as one of mere routine. The separation of Secretary Proctor from the Department by reason of his appointment as a Senator from the State of Vermont is a source of great regret

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

to me and to his colleagues in the Cabinet, as I am sure it will be to all those who have had business with the Department while under his charge.

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

The work of securing sites for shore batteries for harbor defense and the manufacture of mortars and guns of high power to equip them have made good progress during the year. The preliminary work of tests and plans which so long delayed a start is now out of the way. Some guns have been completed, and with an enlarged shop and a more complete equipment at Watervliet the Army will soon be abreast of the Navy in gun construction. Whatever unavoidable causes of delay may arise, there should be none from delayed or insufficient appropriations. We shall be greatly embarrassed in the proper distribution and use of naval vessels until adequate shore defenses are provided for our harbors.

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

The act of July 9, 1888, provided for the incorporation and management of a reform school for girls in the District of Columbia; but it has remained inoperative for the reason that no appropriation has been made for construction or maintenance. The need of such an institution is very urgent. Many girls could be saved from depraved lives by the wholesome influences and restraints of such a school. I recommend that the necessary appropriation be made for a site and for construction.

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

The officers of the Treasury Department and of the Department of Justice have used every means at their command to intercept this immigration; but the impossibility of perfectly guarding our extended frontier is apparent. The Dominion government collects a head tax of $50 from every Chinaman entering Canada, and thus derives a considerable revenue from those who only use its ports to reach a position of advantage to evade our exclusion laws. There seems to be satisfactory evidence that the business of passing Chinamen through Canada to the United States is organized and quite active. The Department of Justice has construed the laws to require the return of any Chinaman found to be unlawfully in this country to China as the country from which he came, notwithstanding the fact that he came by way of Canada; but several of the district courts have in cases brought before them overruled this view of the law and decided that such persons must be returned to Canada. This construction robs the law of all effectiveness, even if the decrees could be executed, for the men returned can the next day recross our border. But the only appropriation made is for sending them back to China, and the Canadian officials refuse to allow them to reenter

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Canada without the payment of the fifty-dollar head tax. I recommend such legislation as will remedy these defects in the law.

In previous messages I have called the attention of Congress to the necessity of so extending the jurisdiction of the United States courts as to make triable therein any felony committed while in the act of violating a law of the United States. These courts can not have that independence and effectiveness which the Constitution contemplates so long as the felonious killing of court officers, jurors, and witnesses in the discharge of their duties or by reason of their acts as such is only cognizable in the State courts. The work done by the Attorney-General and the officers of his Department, even under the present inadequate legislation, has produced some notable results in the interest of law and order.

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

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

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

Eight thousand miles of new postal service has been established upon railroads, the car distribution to substations in the great cities has been increased about 12 per cent, while the percentage of errors in distribution has during the past year been reduced over one-half. An appropriation was given by the last Congress for the purpose of making some experiments in free delivery in the smaller cities and towns. The results of these experiments have been so satisfactory that the Postmaster-General recommends, and I concur in the recommendation, that the free-delivery system be at once extended to towns of 5,000 population. His discussion of the inadequate facilities extended under our present system to rural communities and his suggestions with a view to give these communities

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

a fuller participation in the benefits of the postal service are worthy of your careful consideration. It is not just that the farmer, who receives his mail at a neighboring town, should not only be compelled to send to the post-office for it, but to pay a considerable rent for a box in which to place it or to wait his turn at a general-delivery window, while the city resident has his mail brought to his door. It is stated that over 54,000 neighborhoods are under the present system receiving mail at post-offices where money orders and postal notes are not issued. The extension of this system to these communities is especially desirable, as the patrons of such offices are not possessed of the other facilities offered in more populous communities for the transmission of small sums of money.

I have in a message to the preceding Congress expressed my views as to a modified use of the telegraph in connection with the postal service.* In pursuance of the ocean mail law of March 3, 1891, and after a most careful study of the whole subject and frequent conferences with ship-owners, boards of trade, and others, advertisements were issued by the Postmaster-General for 53 lines of ocean mail service—10 to Great Britain and the Continent, 27 to South America, 3 to China and Japan, 4 to Australia and the Pacific islands, 7 to the West Indies, and 2 to Mexico. It was not, of course, expected that bids for all these lines would be received or that service upon them all would be contracted for. It was intended, in furtherance of the act, to secure as many new lines as possible, while including in the list most or all of the foreign lines now occupied by American ships. It was hoped that a line to England and perhaps one to the Continent would be secured; but the outlay required to equip such lines wholly with new ships of the first class and the difficulty of establishing new lines in competition with those already established deterred bidders whose interest had been enlisted. It is hoped that a way may yet be found of overcoming these difficulties.

The Brazil Steamship Company, by reason of a miscalculation as to the speed of its vessels, was not able to bid under the terms of the advertisement. The policy of the Department was to secure from the established lines an improved service as a condition of giving to them the benefits of the law. This in all instances has been attained. The Postmaster-General estimates that an expenditure in American shipyards of about $10,000,000 will be necessary to enable the bidders to construct the ships called for by the service which they have accepted. I do not think there is any reason for discouragement or for any turning back from the policy of this legislation. Indeed, a good beginning has been made, and as the subject is further considered and understood by capitalists and shipping people new lines will be ready to meet future proposals, and we may date from the passage of this law the revival of American shipping interests and the recovery of ~~a fair share of the~~ carrying trade of the ~~world~~. We were receiving for foreign postage nearly $2,000,000 under the old

* See p. 127.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

I commend to your favorable consideration the recommendations of the Secretary, who has, I am sure, given to them the most conscientious study. There should be no hesitation in promptly completing a navy of the best modern type large enough to enable this country to display its flag in all seas for the protection of its citizens and of its extending commerce. The world needs no assurance of the peaceful purposes of the United States, but we shall probably be in the future more largely a competitor in the commerce of the world, and it is essential to the dignity of this nation and to that peaceful influence which it should exercise on

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

this hemisphere that its Navy should be adequate both upon the shores of the Atlantic and of the Pacific.

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

The work in the Bureau of Indian Affairs was perhaps never so large as now, by reason of the numerous negotiations which have been proceeding with the tribes for a reduction of the reservations, with the incident labor of making allotments, and was never more carefully conducted. The provision of adequate school facilities for Indian children and the locating of adult Indians upon farms involve the solution of the "Indian question." Everything else—rations, annuities, and tribal negotiations, with the agents, inspectors, and commissioners who distribute and conduct them—must pass away when the Indian has become a citizen, secure in the individual ownership of a farm from which he derives his subsistence by his own labor, protected by and subordinate to the laws which govern the white man, and provided by the General Government or by the local communities in which he lives with the means of educating his children. When an Indian becomes a citizen in an organized State or Territory, his relation to the General Government ceases in great measure to be that of a ward; but the General Government ought not at once to put upon the State or Territory the burden of the education of his children.

It has been my thought that the Government schools and school buildings upon the reservations would be absorbed by the school systems of the States and Territories; but as it has been found necessary to protect the Indian against the compulsory alienation of his land by exempting him from taxation for a period of twenty-five years, it would seem to be right that the General Government, certainly where there are tribal funds in its possession, should pay to the school fund of the State what would be equivalent to the local school tax upon the property of the Indian. It will be noticed from the report of the Commissioner of Indian Affairs that already some contracts have been made with district schools for the education of Indian children. There is great advantage, I think, in bringing the Indian children into mixed schools. This process will be gradual, and in the meantime the present educational provisions and arrangements, the result of the best experience of those who have been charged with this work, should be continued. This will enable those religious bodies that have undertaken the work of Indian education with so much zeal and with results so restraining and beneficent to place their institutions in new and useful relations to the Indian and to his white neighbors.

The outbreak among the Sioux which occurred in December last is as to its causes and incidents fully reported upon by the War Department and the Department of the Interior. That these Indians had some just

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

It seems to me to be inevitable that there shall be before long some organic changes in the relation of these people to the United States. What form these changes should take I do not think it desirable now to suggest, even if they were well defined in my own mind. They should certainly involve the acceptance of citizenship by the Indians and a representation in Congress. These Indians should have opportunity to present their claims and grievances upon the floor rather than, as now, in the lobby. If a commission could be appointed to visit these tribes to confer with them in a friendly spirit upon this whole subject, even if no agreement were presently reached the feeling of the tribes upon this question would be developed, and discussion would prepare the way for changes which must come sooner or later.

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

day. The rush for these lands was accompanied by a great deal of excitement, but was happily free from incidents of violence.

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

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

The negotiations for the release by the Cherokees of their claim to the Cherokee Strip have made no substantial progress so far as the Department is officially advised, but it is still hoped that the cession of this large and valuable tract may be secured. The price which the commission was authorized to offer—$1.25 per acre—is, in my judgment, when all the circumstances as to title and the character of the lands are considered, a fair and adequate one, and should have been accepted by the Indians.

Since March 4, 1889, about 23,000,000 acres have been separated from Indian reservations and added to the public domain for the use of those who desired to secure free homes under our beneficent laws. It is difficult to estimate the increase of wealth which will result from the conversion of these waste lands into farms, but it is more difficult to estimate the betterment which will result to the families that have found renewed hope and courage in the ownership of a home and the assurance of a comfortable subsistence under free and healthful conditions. It is also gratifying to be able to feel, as we may, that this work has proceeded upon lines of justice toward the Indian, and that he may now, if he will, secure to himself the good influences of a settled habitation, the fruits of industry, and the security of citizenship.

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

Your attention is called to the difficulty presented by the Secretary of the Interior as to the administration of the law of March 3, 1891, establishing a Court of Private Land Claims. The small holdings intended to be protected by the law are estimated to be more than 15,000 in

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

number. The claimants are a most deserving class and their titles are supported by the strongest equities. The difficulty grows out of the fact that the lands have largely been surveyed according to our methods, while the holdings, many of which have been in the same family for generations, are laid out in narrow strips a few rods wide upon a stream and running back to the hills for pasturage and timber. Provision should be made for numbering these tracts as lots and for patenting them by such numbers and without reference to section lines.

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

The Commissioner is quite confident that there will be no call this year for a deficiency appropriation, notwithstanding the rapidity with which the work is being pushed. The mistake which has been made by many in their exaggerated estimates of the cost of pensions is in not taking account of the diminished value of first payments under the recent legislation. These payments under the general law have been for many years very large, as the pensions when allowed dated from the time of filing the claim, and most of these claims had been pending for years. The first payments under the law of June, 1890, are relatively small, and as the per cent of these cases increases and that of the old cases diminishes the annual aggregate of first payments is largely reduced. The Commissioner, under date of November 13, furnishes me with the statement that during the last four months 113,175 certificates were issued, 27,893 under the general law and 85,282 under the act of June 27, 1890. The average first payment during these four months was $131.85, while the average first payment upon cases allowed during the year ending June 30, 1891, was $239.33, being a reduction in the average first payments during these four months of $107.48.

The estimate for pension expenditures for the fiscal year ending June 30, 1893, is $144,956,000, which, after a careful examination of the subject, the Commissioner is of the opinion will be sufficient. While these disbursements to the disabled soldiers of the great Civil War are large, they do not realize the exaggerated estimates of those who oppose this beneficent legislation. The Secretary of the Interior shows with great fullness the care that is taken to exclude fraudulent claims, and also the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

gratifying fact that the persons to whom these pensions are going are men who rendered not slight but substantial war service.

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

The work of the Census Bureau is now far in advance and the great bulk of the enormous labor involved completed. It will be more strictly a statistical exhibit and less encumbered by essays than its immediate predecessors. The methods pursued have been fair, careful, and intelligent, and have secured the approval of the statisticians who have followed them with a scientific and nonpartisan interest. The appropriations necessary to the early completion and publication of the authorized volumes should be given in time to secure against delays, which increase the cost and at the same time diminish the value of the work.

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

The United States should part with its ownership of the water sources and the sites for reservoirs, whether to the States and Territories or to individuals or corporations, only upon conditions that will insure to the settlers their proper water supply upon equal and reasonable terms. In the Territories this whole subject is under the full control of Congress, and in the States it is practically so as long as the Government holds the title to the reservoir sites and water sources and can grant them upon such conditions as it chooses to impose. The improvident granting of franchises of enormous value without recompense to the State or municipality from which they proceed and without proper

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

protection of the public interests is the most noticeable and flagrant evil of modern legislation. This fault should not be committed in dealing with a subject that will before many years affect so vitally thousands of our people.

The legislation of Congress for the repression of polygamy has, after years of resistance on the part of the Mormons, at last brought them to the conclusion that resistance is unprofitable and unavailing. The power of Congress over this subject should not be surrendered until we have satisfactory evidence that the people of the State to be created would exercise the exclusive power of the State over this subject in the same way. The question is not whether these people now obey the laws of Congress against polygamy, but rather would they make, enforce, and maintain such laws themselves if absolutely free to regulate the subject? We can not afford to experiment with this subject, for when a State is once constituted the act is final and any mistake irretrievable. No compact in the enabling act could, in my opinion, be binding or effective.

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

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

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

For ten years protests and petitions upon this subject from the packers and stock raisers of the United States have been directed against these restrictions, which so seriously limited our markets and curtailed the profits of the farm. It is a source of general congratulation that success has at last been attained, for the effects of an enlarged foreign market for these meats will be felt not only by the farmer, but in our public finances and in every branch of trade. It is particularly fortunate that

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the increased demand for food products resulting from the removal of the restrictions upon our meats and from the reciprocal trade arrangements to which I have referred should have come at a time when the agricultural surplus is so large. Without the help thus derived lower prices would have prevailed. The Secretary of Agriculture estimates that the restrictions upon the importation of our pork products into Europe lost us a market for $20,000,000 worth of these products annually.

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

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

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

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

I have twice before urgently called the attention of Congress to the necessity of legislation for the protection of the lives of railroad employees, but nothing has yet been done. During the year ending June 30, 1890, 369 brakemen were killed and 7,841 maimed while engaged in

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

coupling cars. The total number of railroad employees killed during the year was 2,451 and the number injured 22,390. This is a cruel and largely needless sacrifice. The Government is spending nearly $1,000,000 annually to save the lives of shipwrecked seamen; every steam vessel is rigidly inspected and required to adopt the most approved safety appliances. All this is good. But how shall we excuse the lack of interest and effort in behalf of this army of brave young men who in our land commerce are being sacrificed every year by the continued use of antiquated and dangerous appliances? A law requiring of every railroad engaged in interstate commerce the equipment each year of a given per cent of its freight cars with automatic couplers and air brakes would compel an agreement between the roads as to the kind of brakes and couplers to be used, and would very soon and very greatly reduce the present fearful death rate among railroad employees.

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

After a full test of other methods, without important division or dissent in any State and without any purpose of party advantage, as we must believe, but solely upon the considerations that uniformity was desirable and that a general election in territorial divisions not subject to change was most consistent with the popular character of our institutions, best preserved the equality of the voters, and perfectly removed the choice of President from the baneful influence of the "gerrymander," the practice of all the States was brought into harmony. That this concurrence should now be broken is, I think, an unfortunate and even a threatening episode, and one that may well suggest whether the States that still give their approval to the old and prevailing method ought not to secure by a constitutional amendment a practice which has had the approval of all. The recent Michigan legislation provides for choosing what are popularly known as the Congressional electors for President by Congressional districts and the two Senatorial electors by districts

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

created for that purpose. This legislation was, of course, accompanied by a new Congressional apportionment, and the two statutes bring the electoral vote of the State under the influence of the "gerrymander."

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

be necessary to secure the choice of the officers of the Government to the people by fair apportionments and free elections.

I believe it would be possible to constitute a commission, nonpartisan in its membership and composed of patriotic, wise, and impartial men, to whom a consideration of the question of the evils connected with our election system and methods might be committed with a good prospect of securing unanimity in some plan for removing or mitigating those evils. The Constitution would permit the selection of the commission to be vested in the Supreme Court if that method would give the best guaranty of impartiality. This commission should be charged with the duty of inquiring into the whole subject of the law of elections as related to the choice of officers of the National Government, with a view to securing to every elector a free and unmolested exercise of the suffrage and as near an approach to an equality of value in each ballot cast as is attainable.

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

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

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

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 16, 1891.*

To the Senate and House of Representatives:

I transmit herewith, for your information, a letter from the Secretary of State, inclosing the first annual report and copies of the bulletins of the Bureau of the American Republics.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1891.*

To the Senate and House of Representatives:

I transmit herewith the report of the board appointed by me under a clause in the District of Columbia appropriation act approved August 6, 1890, "to consider the location, arrangement, and operation of electric wires in the District of Columbia," etc., to which the attention of Congress is respectfully invited.

BENJ. HARRISON.

EXECUTIVE MANSION, *December 23, 1891.*

To the Senate and House of Representatives:

My attention having been called to the necessity of bringing about a uniform usage and spelling of geographic names in the publications of the Government, the following Executive order was issued on the 4th day of September, 1890:

As it is desirable that uniform usage in regard to geographic nomenclature and orthography obtain throughout the Executive Departments of the Government, and particularly upon the maps and charts issued by the various Departments and bureaus, I hereby constitute a Board on Geographic Names and designate the following persons, who have heretofore cooperated for a similar purpose under the authority of the several Departments, bureaus, and institutions with which they are connected, as members of said board:

Professor Thomas C. Mendenhall, United States Coast and Geodetic Survey, chairman.
Andrew H. Allen, Department of State.
Captain Henry L. Howison, Light-House Board, Treasury Department.
Captain Thomas Turtle, Engineer Corps, War Department.
Lieutenant Richardson Clover, Hydrographic Office, Navy Department
Pierson H. Bristow, Post-Office Department.
Otis T. Mason, Smithsonian Institution.
Herbert G. Ogden, United States Coast and Geodetic Survey.
Henry Gannett, United States Geological Survey.
Marcus Baker, United States Geological Survey.

To this board shall be referred all unsettled questions concerning geographic names which arise in the Departments, and the decisions of the board are to be accepted by these Departments as the standard authority in such matters.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Department officers are instructed to afford such assistance as may be proper to carry on the work of this board.

The members of this board shall serve without additional compensation and its organization shall entail no expense on the Government.

The report of the board thus constituted has been submitted to me, and is herewith transmitted for the information of Congress and with a view to its publication in suitable form if such action is deemed by Congress to be desirable.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 5, 1892.*

To the Senate and House of Representatives:

The famine prevailing in some of the Provinces of Russia is so severe and widespread as to have attracted the sympathetic interest of a large number of our liberal and favored people. In some of the great grain-producing States of the West movements have already been organized to collect flour and meal for the relief of these perishing Russian families, and the response has been such as to justify the belief that a ship's cargo can very soon be delivered at the seaboard through the generous cooperation of the transportation lines. It is most appropriate that a people whose storehouses have been so lavishly filled with all the fruits of the earth by the gracious favor of God should manifest their gratitude by large gifts to His suffering children in other lands.

The Secretary of the Navy has no steam vessel at his disposal that could be used for the transportation of these supplies, and I therefore recommend that he be authorized to charter a suitable vessel to receive them if a sufficient amount should be offered, and to send them under the charge of a naval officer to such Russian port as may be most convenient for ready distribution to those most in need.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, accompanied by an agreement concluded by and between the Cherokee Commission and the Wichita and affiliated bands of Indians in the Territory of Oklahoma, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, submitting the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

agreement entered into between the Indians of the Colville Reservation, in the State of Washington, and the commissioners appointed under the provisions of the act of August 19, 1890, to negotiate with them for the cession of such portion of said reservation as said Indians may be willing to dispose of, that the same may be opened to white settlement.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 6, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, accompanied by an agreement concluded by the Cherokee Commission with the Tonkawa Indians in Oklahoma Territory, for the cession of all their right, title, claim, and interest of every kind and character in and to the lands occupied by them in said Territory, and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 8th instant from the Secretary of the Interior, submitting the agreements concluded by and between the Cherokee Commission and the Kickapoo tribe of Indians in the Territory of Oklahoma, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, submitting the agreement entered into between the Indians of the Pyramid Lake Reservation and the commission appointed under the provisions of the Indian appropriation act of March 3, 1891, for the cession and relinquishment of the southern portion of their reservation in the State of Nevada.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 4th instant from the Secretary of the Interior, submitting the agreement entered into between the Shoshone and Arapahoe Indians of the Shoshone or Wind River Reservation, in the State of Wyoming, and

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the commission appointed under the provisions of the Indian appropriation act of March 3, 1891, for the cession and relinquishment of a portion of their said reservation.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington. January 18, 1892.

To the Senate of the United States:

I transmit herewith to the Senate a report of the Secretary of State, in answer to the resolution of the Senate of the 12th instant, making inquiries regarding payments of the awards of the claims commission under the convention of July 4, 1868, between the United States and Mexico.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 19, 1892.*

To the Senate and House of Representatives:

I transmit herewith a letter of the Secretary of the Navy, accompanied by the report of the commission appointed by me by virtue of a provision in the naval appropriation act approved June 30, 1890, "to select a suitable site, having due regard to commercial and naval interests, for a dry dock at some point on the shores of the Gulf of Mexico or the waters connected therewith."

The Secretary of the Navy approves the recommendations of the commission, and they are respectfully submitted for the consideration of the Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 25, 1892.*

To the Senate and House of Representatives:

In my annual message delivered to Congress at the beginning of the present session, after a brief statement of the facts then in the possession of this Government touching the assault in the streets of Valparaiso, Chile, upon the sailors of the United States steamship *Baltimore* on the evening of the 16th of October last, I said:

> This Government is now awaiting the result of an investigation which has been conducted by the criminal court at Valparaiso. It is reported unofficially that the investigation is about completed, and it is expected that the result will soon be communicated to this Government, together with some adequate and satisfactory response to the note by which the attention of Chile was called to this incident. If these just expectations should be disappointed or further needless delay intervene, I will by a special message bring this matter again to the attention of Congress for such action as may be necessary.

In my opinion the time has now come when I should lay before the Congress and the country the correspondence between this Government and

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the Government of Chile from the time of the breaking out of the revolution against Balmaceda, together with all other facts in the possession of the executive department relating to this matter. The diplomatic correspondence is herewith transmitted, together with some correspondence between the naval officers for the time in command in Chilean waters and the Secretary of the Navy, and also the evidence taken at the Mare Island Navy-Yard since the arrival of the *Baltimore* at San Francisco. I do not deem it necessary in this communication to attempt any full analysis of the correspondence or of the evidence. A brief restatement of the international questions involved and of the reasons why the responses of the Chilean Government are unsatisfactory is all that I deem necessary.

It may be well at the outset to say that whatever may have been said in this country or in Chile in criticism of Mr. Egan, our minister at Santiago, the true history of this exciting period in Chilean affairs from the outbreak of the revolution until this time discloses no act on the part of Mr. Egan unworthy of his position or that could justly be the occasion of serious animadversion or criticism. He has, I think, on the whole borne himself in very trying circumstances with dignity, discretion, and courage, and has conducted the correspondence with ability, courtesy, and fairness.

It is worth while also at the beginning to say that the right of Mr. Egan to give shelter in the legation to certain adherents of the Balmaceda Government who applied to him for asylum has not been denied by the Chilean authorities, nor has any demand been made for the surrender of these refugees. That there was urgent need of asylum is shown by Mr. Egan's note of August 24, 1891, describing the disorders that prevailed in Santiago, and by the evidence of Captain Schley as to the pillage and violence that prevailed at Valparaiso. The correspondence discloses, however, that the request of Mr. Egan for a safe conduct from the country in behalf of these refugees was denied. The precedents cited by him in the correspondence, particularly the case of the revolution in Peru in 1865, did not leave the Chilean Government in a position to deny the right of asylum to political refugees, and seemed very clearly to support Mr. Egan's contention that a safe conduct to neutral territory was a necessary and acknowledged incident of the asylum. These refugees have very recently, without formal safe conduct, but by the acquiescence of the Chilean authorities, been placed on board the *Yorktown*, and are now being conveyed to Callao, Peru. This incident might be considered wholly closed but for the disrespect manifested toward this Government by the close and offensive police surveillance of the legation premises which was maintained during most of the period of the stay of the refugees therein. After the date of my annual message, and up to the time of the transfer of the refugees to the *Yorktown*, the legation premises seemed to have been surrounded by police in uniform and police agents or detectives in citizen's dress, who offensively scrutinized persons enter-

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

ing or leaving the legation, and on one or more occasions arrested members of the minister's family. Commander Evans, who by my direction recently visited Mr. Egan at Santiago, in his telegram to the Navy Department described the legation as "a veritable prison," and states that the police agents or detectives were after his arrival withdrawn during his stay. It appears further from the note of Mr. Egan of November 20, 1891, that on one occasion at least these police agents, whom he declares to be known to him, invaded the legation premises, pounding upon its windows and using insulting and threatening language toward persons therein. This breach of the right of a minister to freedom from police espionage and restraint seems to have been so flagrant that the Argentine minister, who was dean of the diplomatic corps, having observed it, felt called upon to protest against it to the Chilean minister of foreign affairs. The Chilean authorities have, as will be observed from the correspondence, charged the refugees and the inmates of the legation with insulting the police; but it seems to me incredible that men whose lives were in jeopardy and whose safety could only be secured by retirement and quietness should have sought to provoke a collision, which could only end in their destruction, or to aggravate their condition by intensifying a popular feeling that at one time so threatened the legation as to require Mr. Egan to appeal to the minister of foreign affairs.

But the most serious incident disclosed by the correspondence is that of the attack upon the sailors of the *Baltimore* in the streets of Valparaiso on the 16th of October last. In my annual message, speaking upon the information then in my possession, I said:

> So far as I have yet been able to learn, no other explanation of this bloody work has been suggested than that it had its origin in hostility to those men as sailors of the United States, wearing the uniform of their Government, and not in any individual act or personal animosity.

We have now received from the Chilean Government an abstract of the conclusions of the fiscal general upon the testimony taken by the judge of crimes in an investigation which was made to extend over nearly three months. I very much regret to be compelled to say that this report does not enable me to modify the conclusion announced in my annual message. I am still of the opinion that our sailors were assaulted, beaten, stabbed, and killed not for anything they or any one of them had done, but for what the Government of the United States had done or was charged with having done by its civil officers and naval commanders. If that be the true aspect of the case, the injury was to the Government of the United States, not to these poor sailors who were assaulted in a manner so brutal and so cowardly.

Before attempting to give an outline of the facts upon which this conclusion rests I think it right to say a word or two upon the legal aspect of the case. The *Baltimore* was in the harbor of Valparaiso by virtue of that general invitation which nations are held to extend to the war

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

vessels of other powers with which they have friendly relations. This invitation, I think, must be held ordinarily to embrace the privilege of such communication with the shore as is reasonable, necessary, and proper for the comfort and convenience of the officers and men of such vessels. Captain Schley testifies that when his vessel returned to Valparaiso on September 14 the city officers, as is customary, extended the hospitalities of the city to his officers and crew. It is not claimed that every personal collision or injury in which a sailor or officer of such naval vessel visiting the shore may be involved raises an international question, but I am clearly of the opinion that where such sailors or officers are assaulted by a resident populace, animated by hostility to the government whose uniform these sailors and officers wear and in resentment of acts done by their government, not by them, their nation must take notice of the event as one involving an infraction of its rights and dignity, not in a secondary way, as where a citizen is injured and presents his claim through his own government, but in a primary way, precisely as if its minister or consul or the flag itself had been the object of the same character of assault.

The officers and sailors of the *Baltimore* were in the harbor of Valparaiso under the orders of their Government, not by their own choice. They were upon the shore by the implied invitation of the Government of Chile and with the approval of their commanding officer; and it does not distinguish their case from that of a consul that his stay is more permanent or that he holds the express invitation of the local government to justify his longer residence. Nor does it affect the question that the injury was the act of a mob. If there had been no participation by the police or military in this cruel work and no neglect on their part to extend protection, the case would still be one, in my opinion, when its extent and character are considered, involving international rights.

The incidents of the affair are briefly as follows:

On the 16th of October last Captain Schley, commanding the United States steamship *Baltimore*, gave shore leave to 117 petty officers and sailors of his ship. These men left the ship about 1.30 p. m. No incident of violence occurred, none of our men were arrested, no complaint was lodged against them, nor did any collision or outbreak occur until about 6 o'clock p. m. Captain Schley states that he was himself on shore and about the streets of the city until 5.30 p. m.; that he met very many of his men who were upon leave; that they were sober and were conducting themselves with propriety, saluting Chilean and other officers as they met them. Other officers of the ship and Captain Jenkins, of the merchant ship *Keweenaw*, corroborate Captain Schley as to the general sobriety and good behavior of our men. The Sisters of Charity at the hospital to which our wounded men were taken when inquired of stated that they were sober when received. If the situation had been otherwise, we must believe that the Chilean police authorities would have made arrests. About 6 p. m. the assault began, and it is remarkable that the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

investigation by the judge of crimes, though so protracted, does not enable him to give any more satisfactory account of its origin than is found in the statement that it began between drunken sailors. Repeatedly in the correspondence it is asserted that it was impossible to learn the precise cause of the riot. The minister of foreign affairs, Matta, in his telegram to Mr. Montt under date December 31, states that the quarrel began between two sailors in a tavern and was continued in the street, persons who were passing joining in it.

The testimony of Talbot, an apprentice, who was with Riggin, is that the outbreak in which they were involved began by a Chilean sailor's spitting in the face of Talbot, which was resented by a knockdown. It appears that Riggin and Talbot were at the time unaccompanied by others of their shipmates. These two men were immediately beset by a crowd of Chilean citizens and sailors, through which they broke their way to a street car, and entered it for safety. They were pursued, driven from the car, and Riggin was so seriously beaten that he fell in the street apparently dead. There is nothing in the report of the Chilean investigation made to us that seriously impeaches this testimony. It appears from Chilean sources that almost instantly, with a suddenness that strongly implies meditation and preparation, a mob, stated by the police authorities at one time to number 2,000 and at another 1,000, was engaged in the assault upon our sailors, who are represented as resisting "with stones, clubs, and bright arms." The report of the *intendente* of October 30 states that the fight began at 6 p. m. in three streets, which are named; that information was received at the *intendencia* at 6.15, and that the police arrived on the scene at 6.30, a full half hour after the assault began. At that time he says that a mob of 2,000 men had collected, and that for several squares there was the appearance of a "real battlefield."

The scene at this point is very graphically set before us by the Chilean testimony. The American sailors, who after so long an examination have not been found guilty of any breach of the peace so far as the Chilean authorities are able to discover, unarmed and defenseless, are fleeing for their lives, pursued by overwhelming numbers, and fighting only to aid their own escape from death or to succor some mate whose life is in greater peril. Eighteen of them are brutally stabbed and beaten, while one Chilean seems from the report to have suffered some injury, but how serious or with what character of weapon, or whether by a missile thrown by our men or by some of his fellow-rioters, is unascertained.

The pretense that our men were fighting "with stones, clubs, and bright arms" is in view of these facts incredible. It is further refuted by the fact that our prisoners when searched were absolutely without arms, only seven penknives being found in the possession of the men arrested, while there were received by our men more than thirty stab wounds, every one of which was inflicted in the back, and almost every contused wound was in the back or back of the head. The evidence of the ship's

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

officer of the day is that even the jackknives of the men were taken from them before leaving the ship.

As to the brutal nature of the treatment received by our men, the following extract from the account given of the affair by the La Patria newspaper, of Valparaiso, of October 17, can not be regarded as too friendly:

> The Yankees, as soon as their pursuers gave chase, went by way of the Calle del Arsenal toward the city car station. In the presence of an ordinary number of citizens, among whom were some sailors, the North Americans took seats in the street car to escape from the stones which the Chileans threw at them. It was believed for an instant that the North Americans had saved themselves from popular fury, but such was not the case. Scarcely had the car begun to move when a crowd gathered around and stopped its progress. Under these circumstances and without any cessation of the howling and throwing of stones at the North Americans, the conductor entered the car, and, seeing the risk of the situation to the vehicle, ordered them to get out. At the instant the sailors left the car, in the midst of a hail of stones, the said conductor received a stone blow on the head. One of the Yankee sailors managed to escape in the direction of the Plaza Wheelright, but the other was felled to the ground by a stone. Managing to raise himself from the ground where he lay, he staggered in an opposite direction from the station. In front of the house of Señor Mazzini he was again wounded, falling then senseless and breathless.

No amount of evasion or subterfuge is able to cloud our clear vision of this brutal work. It should be noticed in this connection that the American sailors arrested, after an examination, were during the four days following the arrest every one discharged, no charge of any breach of the peace or other criminal conduct having been sustained against a single one of them. The judge of crimes, Foster, in a note to the *intendente* under date of October 22, before the dispatch from this Government of the following day, which aroused the authorities of Chile to a better sense of the gravity of the affair, says:

> Having presided temporarily over this court in regard to the seamen of the United States cruiser *Baltimore*, who have been tried on account of the deplorable conduct which took place, etc.

The noticeable point here is that our sailors had been tried before the 22d of October, and that the trial resulted in their acquittal and return to their vessel. It is quite remarkable and quite characteristic of the management of this affair by the Chilean police authorities that we should now be advised that Seaman Davidson, of the *Baltimore*, has been included in the indictment, his offense being, so far as I have been able to ascertain, that he attempted to defend a shipmate against an assailant who was striking at him with a knife. The perfect vindication of our men is furnished by this report. One only is found to have been guilty of criminal fault, and that for an act clearly justifiable.

As to the part taken by the police in the affair, the case made by Chile is also far from satisfactory. The point where Riggin was killed is only three minutes' walk from the police station, and not more than twice that distance from the *intendencia;* and yet according to their official report a full half hour elapsed after the assault began before the police were upon the ground. It has been stated that all but two of our men have said that the police did their duty. The evidence taken at

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Mare Island shows that if such a statement was procured from our men it was accomplished by requiring them to sign a writing in a language they did not understand and by the representation that it was a mere declaration that they had taken no part in the disturbance. Lieutenant McCrea, who acted as interpreter, says in his evidence that when our sailors were examined before the court the subject of the conduct of the police was so carefully avoided that he reported the fact to Captain Schley on his return to the vessel.

The evidences of the existence of animosity toward our sailors in the minds of the sailors of the Chilean navy and of the populace of Valparaiso are so abundant and various as to leave no doubt in the mind of anyone who will examine the papers submitted. It manifested itself in threatening and insulting gestures toward our men as they passed the Chilean men-of-war in their boats and in the derisive and abusive epithets with which they greeted every appearance of an American sailor on the evening of the riot. Captain Schley reports that boats from the Chilean war ships several times went out of their course to cross the bows of his boats, compelling them to back water. He complained of the discourtesy, and it was corrected. That this feeling was shared by men of higher rank is shown by an incident related by Surgeon Stitt, of the *Baltimore*. After the battle of Placilla he, with other medical officers of the war vessels in the harbor, was giving voluntary assistance to the wounded in the hospitals. The son of a Chilean army officer of high rank was under his care, and when the father discovered it he flew into a passion and said he would rather have his son die than have Americans touch him, and at once had him removed from the ward. This feeling is not well concealed in the dispatches of the foreign office, and had quite open expression in the disrespectful treatment of the American legation. The Chilean boatmen in the bay refused, even for large offers of money, to return our sailors, who crowded the Mole, to their ship when they were endeavoring to escape from the city on the night of the assault. The market boats of the *Baltimore* were threatened, and even quite recently the gig of Commander Evans, of the *Yorktown*, was stoned while waiting for him at the Mole.

The evidence of our sailors clearly shows that the attack was expected by the Chilean people, that threats had been made against our men, and that in one case, somewhat early in the afternoon, the keeper of one house into which some of our men had gone closed his establishment in anticipation of the attack, which he advised them would be made upon them as darkness came on.

In a report of Captain Schley to the Navy Department he says:

> In the only interview that I had with Judge Foster, who is investigating the case relative to the disturbance, before he was aware of the entire gravity of the matter, he informed me that the assault upon my men was the outcome of hatred for our people among the lower classes because they thought we had sympathized with the Balmaceda Government on account of the *Itata* matter, whether with reason or without he could of course not admit; but such he thought was the explanation of the assault at that time.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Several of our men sought security from the mob by such complete or partial changes in their dress as would conceal the fact of their being seamen of the *Baltimore*, and found it then possible to walk the streets without molestation. These incidents conclusively establish that the attack was upon the uniform—the nationality—and not upon the men.

The origin of this feeling is probably found in the refusal of this Government to give recognition to the Congressional party before it had established itself, in the seizure of the *Itata* for an alleged violation of the neutrality law, in the cable incident, and in the charge that Admiral Brown conveyed information to Valparaiso of the landing at Quinteros. It is not my purpose to enter here any defense of the action of this Government in these matters. It is enough for the present purpose to say that if there was any breach of international comity or duty on our part it should have been made the subject of official complaint through diplomatic channels or for reprisals for which a full responsibility was assumed. We can not consent that these incidents and these perversions of the truth shall be used to excite a murderous attack upon our unoffending sailors and the Government of Chile go aquit of responsibility. In fact, the conduct of this Government during the war in Chile pursued those lines of international duty which we had so strongly insisted upon on the part of other nations when this country was in the throes of a civil conflict. We continued the established diplomatic relations with the government in power until it was overthrown, and promptly and cordially recognized the new government when it was established. The good offices of this Government were offered to bring about a peaceful adjustment, and the interposition of Mr. Egan to mitigate severities and to shelter adherents of the Congressional party was effective and frequent. The charge against Admiral Brown is too base to gain credence with anyone who knows his high personal and professional character.

Recurring to the evidence of our sailors, I think it is shown that there were several distinct assaults, and so nearly simultaneous as to show that they did not spread from one point. A press summary of the report of the fiscal shows that the evidence of the Chilean officials and others was in conflict as to the place of origin, several places being named by different witnesses as the locality where the first outbreak occurred. This if correctly reported shows that there were several distinct outbreaks, and so nearly at the same time as to cause this confusion. The La Patria, in the same issue from which I have already quoted, after describing the killing of Riggin and the fight which from that point extended to the Mole, says:

> At the same time in other streets of the port the Yankee sailors fought fiercely with the people of the town, who believed to see in them incarnate enemies of the Chilean navy.

The testimony of Captain Jenkins, of the American merchant ship *Keweenaw*, which had gone to Valparaiso for repairs, and who was a

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

witness of some part of the assault upon the crew of the *Baltimore*, is strongly corroborative of the testimony of our own sailors when he says that he saw Chilean sentries drive back a seaman seeking shelter upon a mob that was pursuing him. The officers and men of Captain Jenkins's ship furnish the most conclusive testimony as to the indignities which were practiced toward Americans in Valparaiso. When American sailors, even of merchant ships, can only secure their safety by denying their nationality, it must be time to readjust our relations with a government that permits such demonstrations.

As to the participation of the police, the evidence of our sailors shows that our men were struck and beaten by police officers before and after arrest, and that one at least was dragged with a lasso about his neck by a mounted policeman. That the death of Riggin was the result of a rifle shot fired by a policeman or soldier on duty is shown directly by the testimony of Johnson, in whose arms he was at the time, and by the evidence of Charles Langen, an American sailor, not then a member of the *Baltimore's* crew, who stood close by and saw the transaction. The Chilean authorities do not pretend to fix the responsibility of this shot upon any particular person, but avow their inability to ascertain who fired it further than that it was fired from a crowd. The character of the wound as described by one of the surgeons of the *Baltimore* clearly supports his opinion that it was made by a rifle ball, the orifice of exit being as much as an inch or an inch and a quarter in width. When shot the poor fellow was unconscious and in the arms of a comrade, who was endeavoring to carry him to a neighboring drug store for treatment. The story of the police that in coming up the street they passed these men and left them behind them is inconsistent with their own statement as to the direction of their approach and with their duty to protect them, and is clearly disproved. In fact Riggin was not behind but in front of the advancing force, and was not standing in the crowd, but was unconscious and supported in the arms of Johnson when he was shot.

The communications of the Chilean Government in relation to this cruel and disastrous attack upon our men, as will appear from the correspondence, have not in any degree taken the form of a manly and satisfactory expression of regret, much less of apology. The event was of so serious a character that if the injuries suffered by our men had been wholly the result of an accident in a Chilean port the incident was grave enough to have called for some public expression of sympathy and regret from the local authorities. It is not enough to say that the affair was lamentable, for humanity would require that expression even if the beating and killing of our men had been justifiable. It is not enough to say that the incident is regretted, coupled with the statement that the affair was not of an unusual character in ports where foreign sailors are accustomed to meet. It is not for a generous and sincere government to seek for words of small or equivocal meaning in which to convey to a friendly

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

power an apology for an offense so atrocious as this. In the case of the assault by a mob in New Orleans upon the Spanish consulate in 1851, Mr. Webster wrote to the Spanish minister, Mr. Calderon, that the acts complained of were "a disgraceful and flagrant breach of duty and propriety," and that his Government "regrets them as deeply as Minister Calderon or his Government could possibly do;" that "these acts have caused the President great pain, and he thinks a proper acknowledgment is due to Her Majesty's Government." He invited the Spanish consul to return to his post, guaranteeing protection, and offered to salute the Spanish flag if the consul should come in a Spanish vessel. Such a treatment by the Government of Chile of this assault would have been more creditable to the Chilean authorities, and much less can hardly be satisfactory to a government that values its dignity and honor.

In our note of October 23 last, which appears in the correspondence, after receiving the report of the board of officers appointed by Captain Schley to investigate the affair, the Chilean Government was advised of the aspect which it then assumed and called upon for any facts in its possession that might tend to modify the unfavorable impressions which our report had created. It is very clear from the correspondence that before the receipt of this note the examination was regarded by the police authorities as practically closed. It was, however, reopened and protracted through a period of nearly three months. We might justly have complained of this unreasonable delay; but in view of the fact that the Government of Chile was still provisional, and with a disposition to be forbearing and hopeful of a friendly termination, I have awaited the report, which has but recently been made.

On the 21st instant I caused to be communicated to the Government of Chile by the American minister at Santiago the conclusions of this Government after a full consideration of all the evidence and of every suggestion affecting this matter, and to these conclusions I adhere. They were stated as follows:

First. That the assault is not relieved of the aspect which the early information of the event gave to it, viz, that of an attack upon the uniform of the United States Navy having its origin and motive in a feeling of hostility to this Government, and not in any act of the sailors or of any of them.

Second. That the public authorities of Valparaiso flagrantly failed in their duty to protect our men, and that some of the police and of the Chilean soldiers and sailors were themselves guilty of unprovoked assaults upon our sailors before and after arrest. He [the President] thinks the preponderance of the evidence and the inherent probabilities lead to the conclusion that Riggin was killed by the police or soldiers.

Third. That he [the President] is therefore compelled to bring the case back to the position taken by this Government in the note of Mr. Wharton of October 23 last * * * and to ask for a suitable apology and for some adequate reparation for the injury done to this Government.

In the same note the attention of the Chilean Government was called to the offensive character of a note addressed by Mr. Matta, its minister

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

of foreign affairs, to Mr. Montt, its minister at this capital, on the 11th ultimo. This dispatch was not officially communicated to this Government, but as Mr. Montt was directed to translate it and to give it to the press of the country it seemed to me that it could not pass without official notice. It was not only undiplomatic, but grossly insulting to our naval officers and to the executive department, as it directly imputed untruth and insincerity to the reports of the naval officers and to the official communications made by the executive department to Congress. It will be observed that I have notified the Chilean Government that unless this note is at once withdrawn and an apology as public as the offense made I will terminate diplomatic relations.

The request for the recall of Mr. Egan upon the ground that he was not *persona grata* was unaccompanied by any suggestion that could properly be used in support of it, and I infer that the request is based upon official acts of Mr. Egan which have received the approval of this Government. But however that may be, I could not consent to consider such a question until it had first been settled whether our correspondence with Chile could be conducted upon a basis of mutual respect.

In submitting these papers to Congress for that grave and patriotic consideration which the questions involved demand I desire to say that I am of the opinion that the demands made of Chile by this Government should be adhered to and enforced. If the dignity as well as the prestige and influence of the United States are not to be wholly sacrificed, we must protect those who in foreign ports display the flag or wear the colors of this Government against insult, brutality, and death inflicted in resentment of the acts of their Government and not for any fault of their own. It has been my desire in every way to cultivate friendly and intimate relations with all the Governments of this hemisphere. We do not covet their territory. We desire their peace and prosperity. We look for no advantage in our relations with them except the increased exchanges of commerce upon a basis of mutual benefit. We regret every civil contest that disturbs their peace and paralyzes their development, and are always ready to give our good offices for the restoration of peace. It must, however, be understood that this Government, while exercising the utmost forbearance toward weaker powers, will extend its strong and adequate protection to its citizens, to its officers, and to its humblest sailor when made the victims of wantonness and cruelty in resentment not of their personal misconduct, but of the official acts of their Government.

Upon information received that Patrick Shields, an Irishman and probably a British subject, but at the time a fireman of the American steamer *Keweenaw*, in the harbor of Valparaiso for repairs, had been subjected to personal injuries in that city, largely by the police, I directed the Attorney-General to cause the evidence of the officers and crew of that vessel to be taken upon its arrival in San Francisco, and that testimony is also

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

herewith transmitted. The brutality and even savagery of the treatment of this poor man by the Chilean police would be incredible if the evidence of Shields was not supported by other direct testimony and by the distressing condition of the man himself when he was finally able to reach his vessel. The captain of the vessel says:

> He came back a wreck, black from his neck to his hips from beating, weak and stupid, and is still in a kind of paralyzed condition, and has never been able to do duty since.

A claim for reparation has been made in behalf of this man, for while he was not a citizen of the United States, the doctrine long held by us, as expressed in the consular regulations, is:

> The principles which are maintained by this Government in regard to the protection, as distinguished from the relief, of seamen are well settled. It is held that the circumstance that the vessel is American is evidence that the seamen on board are such, and in every regularly documented merchant vessel the crew will find their protection in the flag that covers them.

I have as yet received no reply to our note of the 21st instant, but in my opinion I ought not to delay longer to bring these matters to the attention of Congress for such action as may be deemed appropriate.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 25, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 23d instant from the Secretary of the Interior, submitting an extract from the report of the commission appointed under the act of January 12, 1891, entitled "An act for the relief of the Mission Indians in the State of California," and other papers relating to the exchange of lands with private individuals and the purchase of certain lands and improvements for the use and benefit of the Mission Indians, with draft of a bill to carry into effect the recommendations of said Mission Commission.

I have approved the report of the Mission Commission, except as much as relates to the purchase of lands from and exchange of lands with private individuals, which is also approved subject to the condition that Congress shall authorize the same.

The matter is presented with the recommendation for the early and favorable action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 25, 1892.

To the Senate of the United States:

Referring to a communication of June 11, 1890, concerning the adoption by the Committee on Foreign Relations of a resolution respecting

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the claim of William Webster against the Government of Great Britain, I herewith transmit a report of the Secretary of State, with accompanying documents, showing the action taken under that resolution.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 25, 1892.

To the Senate and House of Representatives:

I transmit herewith a report of the Secretary of State, with accompaniments, in relation to the claim of the representatives of the late Hon. James Crooks, a British subject, against the Government of the United States for the seizure of the steamer *Lord Nelson* in 1812.

The favorable action of the Fiftieth and Fifty-first Congresses upon the bills heretofore introduced for the relief of the claimants makes it proper that I should recommend it anew for the consideration and final disposition of the present Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 28, 1892.*

To the Senate and House of Representatives:

I transmit herewith additional correspondence between this Government and the Government of Chile, consisting of a note of Mr. Montt, the Chilean minister at this capital, to Mr. Blaine, dated January 23; a reply of Mr. Blaine thereto of date January 27, and a dispatch from Mr. Egan, our minister at Santiago, transmitting the response of Mr. Pereira, the Chilean minister of foreign affairs, to the note of Mr. Blaine of January 21, which was received by me on the 26th instant. The note of Mr. Montt to Mr. Blaine, though dated January 23, was not delivered at the State Department until after 12 o'clock m. of the 25th, and was not translated and its receipt notified to me until late in the afternoon of that day.

The response of Mr. Pereira to our note of the 21st withdraws, with acceptable expressions of regret, the offensive note of Mr. Matta of the 11th ultimo, and also the request for the recall of Mr. Egan. The treatment of the incident of the assault upon the sailors of the *Baltimore* is so conciliatory and friendly that I am of the opinion that there is a good prospect that the differences growing out of that serious affair can now be adjusted upon terms satisfactory to this Government by the usual methods and without special powers from Congress. This turn in the affair is very gratifying to me, as I am sure it will be to the Congress and to our people. The general support of the efforts of the Executive to enforce the just rights of the nation in this matter has given an instructive and useful illustration of the unity and patriotism of our people.

Should it be necessary I will again communicate with Congress upon the subject.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *February 2, 1892.*

To the Senate of the United States:

In reply to a resolution of the Senate of the 27th ultimo, requesting the President "to advise the Senate as to what action, if any, has been taken * * * to cause careful soundings to be made between San Francisco, Cal., and Honolulu * * * for the purpose of determining the practicability of laying a telegraphic cable between those two points, or between any point on the Pacific coast and the Kingdom of the Hawaiian Islands," I inclose herewith a communication from the Secretary of the Navy, dated January 30, 1892.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 9, 1892.*

To the House of Representatives:

I transmit herewith, in answer to the resolution of the House of Representatives of the 13th of January last, a report from the Secretary of State and accompanying papers.*

BENJ. HARRISON.

EXECUTIVE MANSION, *February 10, 1892.*

To the Senate and House of Representatives:

I transmit herewith, as required by law, a communication of the 6th instant from the Secretary of the Interior, with the report of the Puyallup Indian Commission and accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 16, 1892.*

To the Senate and House of Representatives:

There was passed by the last Congress "An act for the protection of the lives of the miners in the Territories," which was approved by me on the 3d day of March, 1891. That no appropriation was made to enable me to carry the act into effect resulted, I suppose, from the fact that it was passed so late in the session. This law recognizes the necessity of a responsible public inspection and supervision of the business of mining in the interest of the miners, and is in line with the legislation of most of the States.

The work of the miner has its unavoidable incidents of discomfort and danger, and these should not be increased by the neglect of the owners to provide every practicable safety appliance. Economies which involve a sacrifice of human life are intolerable.

* Correspondence with Spain, Brazil, Salvador, and the Dominican Republic relative to reciprocal trade relations; copies of commercial arrangements entered into with those countries; list of import and export duties imposed by Brazil, Salvador, and the Dominican Republic, and by Spain with respect to Cuba and Puerto Rico.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

I transmit herewith memorials from several hundred miners working in the coal mines in the Indian Territory, asking for the appointment of an inspector under the act referred to. The recent frightful disaster at Krebs, in that Territory, in which sixty-seven miners met a horrible death, gives urgency to their appeal, and I recommend that a special appropriation be at once made for the salaries and the necessary expenses of the inspectors provided for in the law.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 17, 1892.*

To the Senate and House of Representatives:

The Indian appropriation bill which was approved March 3, 1891, contains the following provision:

> And the sum of $2,991,450 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to pay the Choctaw and Chickasaw nations of Indians for all the right, title, interest, and claim which said nations of Indians may have in and to certain lands now occupied by the Cheyenne and Arapahoe Indians under Executive order, said lands lying south of the Canadian River, and now occupied by the said Cheyenne and Arapahoe Indians; said lands have been ceded in trust by article 3 of the treaty between the United States and said Choctaw and Chickasaw nations of Indians which was concluded April 28, 1866, and proclaimed on the 10th day of August of the same year, and whereof there remains, after deducting allotments as provided by said agreement, a residue ascertained by survey to contain 2,393,160 acres; three-fourths of this appropriation to be paid to such person or persons as are or shall be duly authorized by the laws of said Choctaw Nation to receive the same, at such time and in such sums as directed and required by the legislative authority of said Choctaw Nation, and one-fourth of this appropriation to be paid to such person or persons as are or shall be duly authorized by the laws of said Chickasaw Nation to receive the same, at such times and in such sums as directed and required by the legislative authority of said Chickasaw Nation; this appropriation to be immediately available and to become operative upon the execution by the duly appointed delegates of said respective nations specially authorized thereto by law of releases and conveyances to the United States of all the right, title, interest, and claim of said respective nations of Indians in and to said land (not including Greer County, which is now in dispute), in manner and form satisfactory to the President of the United States; and said releases and conveyances, when fully executed and delivered, shall operate to extinguish all claim of every kind and character of said Choctaw and Chickasaw nations of Indians in and to the tract of country to which said releases and conveyances shall apply.

If this section had been submitted to me as a separate measure, especially during the closing hours of the session, I should have disapproved it; but as the Congress was then in its last hours a disapproval of the general Indian appropriation bill, of which it was a part, would have resulted in consequences so far-reaching and disastrous that I felt it my duty to approve the bill. But as a duty was devolved upon me by the section quoted, viz, the acceptance and approval of the conveyances provided for, I have felt bound to look into the whole matter, and in view of the facts which I shall presently mention to postpone any Executive action

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

until these facts could be submitted to Congress. Very soon after the passage of the law it came to my knowledge that the Choctaw Legislature had entered into an agreement with three citizens of that tribe to pay to them as compensation for procuring this legislation 25 per cent of any appropriation that might be made by Congress. The amount to be secured by these three agents under this agreement out of the three-fourths interest in the appropriation of the Choctaw Nation is $560,896. I have information that a contract was made by the Chickasaws to pay about 10 per cent of their one-fourth interest to the agents and attorneys who represented them.

Within a month after the passage of the law R. J. Ward, one of the agents, who was to divide with his associates the enormous sum to be paid by the Choctaws, presented to me an affidavit dated April 4, 1891, which is herewith submitted. It appears from his statement that the action of the Choctaw Council in this matter was corruptly influenced by the execution of certain notes signed by Ward for himself and his associates in sums varying from $2,500 to $15,000. His associates deny any knowledge of this, but the giving and existence of these notes is not refuted. The statement of the two associates of Ward denying any knowledge or participation in this fraud is also submitted, together with other papers relating to the matter. Whatever may be the fact as to the use or nonuse of corrupt methods to secure this legislation from the Choctaw Council, I do not think the Congress of the United States should so legislate upon this matter as to give effect to such a contract, which I am sure must have been unnoticed when the measure was pending. If the relations of these Indians to the United States are those of a ward, Congress should protect them from such extortionate exactions. We can not assume that the expenses and services of a committee of three persons to represent this claim before Congress should justly assume such proportions. The making of such a contract seems to convey implications which I am sure are wholly unjust.

After the passage of the appropriation bill legislation was had by the Choctaw Nation looking to the completion of the contract made with their delegates as to the payment of this money; but subsequently, when it was supposed that this extraordinary arrangement might require me to bring the matter to the attention of Congress, an act was passed by the Choctaw General Council, approved October 19, 1891, declaring all contracts made by the Choctaw delegates with any attorneys in connection with this appropriation void and of no effect. A copy of this law will be found with the papers submitted. There has also been submitted to me an unofficial copy of the opinion of the attorney-general of the Choctaw Nation holding that this last legislation is unconstitutional and void. I am of the opinion that if this appropriation is to stand provision should be made for protecting these tribes against extortionate claims for compensation in procuring action by Congress. Copies of the several laws

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

passed by the Choctaw Nation with reference to this matter will be found in the accompanying papers. It will be noticed that the distribution proposed is limited to Choctaws by blood, excluding the freedmen and the white men who have been given full citizenship from any participation. A protest against this method of distribution has been filed by a white citizen of the tribe, and also a representation by Hon. Thomas C. Fletcher, their attorney, on behalf of the freedmen. In view of the fact that the stipulations of the treaty of 1866 in behalf of the freedmen of these tribes have not, especially in the case of the Chickasaws, been complied with, it would seem that the United States should in a distribution of this money have made suitable provision in their behalf. The Chickasaws have steadfastly refused to admit the freedmen to citizenship, as they stipulated to do in the treaty referred to, and their condition in that tribe and in a lesser degree in the other strongly calls for the protective intervention of Congress.

After a somewhat careful examination of the question I do not believe that the lands for which this money is to be paid were, to quote the language of section 15 of the Indian appropriation bill, already set out, "ceded in trust by article 3 of the treaty between the United States and said Choctaw and Chickasaw nations of Indians which was concluded April 28, 1866," etc. It is agreed that that treaty contained no express limitation upon the uses to which the United States might put the territory known as the leased district. The lands were ceded by terms sufficiently comprehensive to have passed the full title of the Indians. The limitation upon the use to which the Government might put them is sought to be found in a provision of the treaty by which the United States undertook to exclude white settlers and in the expressions found in the treaties made at the same time with the Creeks and other tribes of the purpose of the United States to use the lands ceded by those tribes for the settlement of friendly Indians.

The stipulation as to the exclusion of white settlers might well have reference solely to the national lands retained by the Choctaw and Chickasaw tribes, and the reason for the nonincorporation in the treaty with them of a statement of the purpose of the Government in connection with the use of the lands is well accounted for by the fact that as to these lands the Government had already, under the treaty of 1855, secured the right to use them perpetually for the settlement of friendly Indians. This was not true as to the lands of the other tribes referred to. The United States paid to the Choctaws and Chickasaws $300,000, and the failure to insert the words that are called words of limitation in this treaty points, I think, clearly to the conclusion that the commissioners on the part of the Government and the Indians themselves must have understood that this Government was acquiring something more than a mere right to settle friendly Indians, which it already possessed, and something more than the mere release of the right which the Choctaws

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

and Chickasaws had under the treaty of 1855 to select locations on these lands if they chose.

Undoubtedly it was the policy of this Government for the time to hold these and the adjacent lands as Indian country, and many of the expressions in the proclamations of my predecessors and in the reports of the Indian Bureau and of the Secretary of the Interior mean this and nothing more. This is quite different from a conditional title, which limits the grant to a particular use and works a reinvestment of full title in the Indian grantors when that use ceases. But those who hold most strictly that a use for Indian purposes, where it is expressed, is a limitation of title seem to agree that the United States might pass a fee absolute to other Indian tribes in the lands ceded for their occupancy. Certainly it was not intended that in settling friendly Indians upon these lands the Government was to be restrained in its policy of allotment and individual ownership. If for an adequate consideration, by treaty, the United States placed upon these lands other Indian tribes, it was competent to give them patents in fee for a certain and agreed reservation. This being so, when the policy of allotment is put into force the compensation for the unused lands should certainly go to the occupying tribe, which in the case supposed had paid a full consideration for the whole reservation.

It will hardly be contended that in such case this Government should pay twice for the lands. In the appropriation under discussion this principle is in part recognized, for no claim is made by the Choctaws and Chickasaws for the lands allotted to the Cheyennes and Arapahoes. The claim is for unallotted or surplus lands. The case of the Cheyennes and Arapahoes is this: In consideration of other lands the Government gave them a treaty reservation in the Cherokee Outlet, but never perfected it by paying the Cherokees the stipulated price and placing these Indians upon it. The Cheyennes and Arapahoes declined to go upon the strip and located themselves farther south, where they now are. The Government subsequently recognized their right to remain there, and set apart the lands now being allotted to members of that tribe and the lands for which payment is now claimed by the Choctaws and Chickasaws as the Cheyenne and Arapahoe Reservation. I think the United States must be held to have assented to the substitution of these lands for the treaty lands in the Cherokee Strip, and that being true, when the reservation is broken up, as now, by allotments, it would seem that the Cheyennes and Arapahoes were entitled to be compensated for these surplus lands. In fact, a commission which has been dealing with the tribes in the Indian Territory has concluded an arrangement with them by which the Government pays $1,500,000 for these surplus lands and for the release of any claim to the Cherokee Strip, so that in fact in this agreement with the Cheyennes and Arapahoes the Government has paid for the lands for which payment is now claimed by the Choctaws and Chickasaws.

It should not be forgotten also that the allotment to the Cheyennes

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

and Arapahoes is still incomplete. The method of calculation which resulted in stating the claim of the Choctaws and Chickasaws at $2,991,450 is explained by a letter of Mr. J. S. Standley, one of the Choctaw delegates, dated April 6, 1891. The agent for the Cheyennes and Arapahoes wrote Mr. Standley that there were 600 Indians residing upon the lands south of the Canadian River, and who it was supposed would take allotments there, and upon this statement the legislation was based. Now it must be borne in mind that the Cheyennes and Arapahoes have the right to locate anywhere within their reservation, and that instead of 600 double that number might have taken their allotments south of the Canadian River upon these lands. This is not probable, but a later report indicates that the number will certainly be in excess of 600. If the sum to be paid to the Choctaws and Chickasaws depended upon a knowledge of the number of acres of unallotted land south of the Canadian River, it would seem to have been reasonable that the appropriation should have been delayed until the exact number of acres taken for allotment had been officially ascertained. This has not yet been done.

It is right also, I think, that Congress in dealing with this matter should have the whole question before it, for the declaration of Indian title contained in this item of appropriation extends to a very large body of land and will involve very large future appropriations. The Choctaw and Chickasaw leased district, embracing the lands in the Indian Territory between the ninety-eighth and one hundredth degrees of west longitude and extending north and south from the main Canadian River to the Red River, including Greer County, contains, according to the public surveys, 7,713,239 acres, or, excluding Greer County, 6,201,663 acres. This leased district is occupied as follows:

Greer County, by white citizens of Texas, 1,511,576 acres. The United States is now prosecuting a case in the courts to obtain a judicial declaration that this county is part of the Indian country. If a decision should be rendered in its favor, the claim of the Choctaws and Chickasaws to be paid for these lands at the rate named in this appropriation would at once be presented.

The Wichita Reservation is also upon the leased lands and is occupied by the Wichitas, Caddoes, Delawares, and remnants of other tribes by Department orders, made to depend upon the treaty with the Delawares in 1866 and some other unratified agreements with tribes or fragments of tribes in 1872. This reservation contains 743,610 acres.

The Kiowa, Comanche, and Apache Reservation is occupied by those Indians under a treaty proclaimed August 25, 1868, which provides that said district of country "shall be, and the same is hereby, set apart for the absolute and undisturbed use and occupation of the tribes herein named, and for such friendly tribes or individual Indians as from time to time they may be willing (with the consent of the United States) to admit among them." This reservation contains 2,968,893 acres.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

The Cheyennes and Arapahoes, whose surplus lands are to be paid for by this appropriation, have occupied the country between the Washita and Canadian rivers, extending west to the one hundredth degree of longitude. This reservation contains 2,489,160 acres.

I have stated these facts in order that it may be seen what further appropriations are involved in a settlement for all these lands upon the basis which Congress has adopted. It does not seem to me to be a wise policy to deal with this question piecemeal. It would have been better, if a remnant of title remains in the Choctaws and Chickasaws to the lands in the leased district, to have settled the whole matter at once. Under the treaty of 1855 the Choctaws and Chickasaws quitclaimed any supposed interest of theirs in the lands west of the one hundredth degree. The boundary between the Louisiana purchase and the Spanish possessions by our treaty of 1819 with Spain was as to these lands fixed upon the one hundredth degree of west longitude.

Our treaty with the Choctaws and Chickasaws made in 1820 extended their grant to the limit of our possessions. It followed, of course, that these lands were included within the boundaries of the State of Texas when that State was admitted to the Union, and the release of the Choctaws and Chickasaws, whatever it was worth, operated for the benefit of the State of Texas and not of the United States. The lands became public lands of that State. For the release of this claim and for the lease of the lands west of the ninety-eighth degree the Government of the United States paid the sum of $800,000. In the calculations which have been made to arrive at the basis of the appropriation under discussion no part of this sum is treated as having been paid for the lease. I do not think that is just to the United States. It seems probable that a very considerable part of this consideration must have related to the leased lands, because these were the lands in which the Indian title was recognized, and the treaty gave to the United States a permanent right of occupation by friendly Indians. The sum of $300,000, paid under the treaty of 1866, is deducted, as I understand, in arriving at the sum appropriated. It seems to me that a considerable proportion of the sum of $800,000 previously paid should have been deducted in the same manner.

I have felt it to be my duty to bring these matters to the attention of Congress for such action as may be thought advisable.

BENJ. HARRISON.

EXECUTIVE MANSION *February 24, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, the annual report of the World's Columbian Commission; a supplementary report of the same commission, submitted February 16, 1892; the report of the board

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

appointed by me under section 16 of the act of April 25, 1890, to have charge of the exhibit to be made by the Executive Departments, the Smithsonian Institution, the Fish Commission, and the National Museum; and the report of the board of lady managers, provided for by section 6 of the act referred to.

The information furnished by these reports as to the progress of the work is not only satisfactory, but highly gratifying. The plan and scope adopted and the site and buildings selected and now being erected are fully commensurate with the national and international character of the enterprise contemplated by the legislation of Congress. The Illinois corporation has fully complied with the condition of the law that $10,000,000 should be provided, and the Government commission reports that "the grounds and buildings will be the most extensive, adequate, and ornate ever devoted to such purposes." It seems, however, that from five to eight millions of dollars more will, in the opinion of the local board and the national commission, be necessary to prepare the exposition for a complete and successful inauguration. It will be noticed from the reports that it was first proposed by the local commission to ask of Congress a loan of $5,000,000, to be repaid from receipts, and that the national commission approved this suggestion. Subsequently the Illinois exposition corporation reconsidered its action and determined to ask a subscription of $5,000,000.

The supplementary report of the national commission seems to approve this amended proposition. I have not myself that detailed information as to the financial necessities of the enterprise which would enable me to form an independent judgment of the additional amount necessary, and am not, therefore, prepared to make any specific recommendation to Congress upon the subject. The committees of Congress having this matter in charge will undoubtedly obtain full and accurate information before final action. The exposition, notwithstanding the limitations which the act contains, is an enterprise to which the United States is so far committed that Congress ought not, I think, to withhold just and reasonable further support if the local corporation consents to proper conditions.

Liberality on the part of the United States is due to the foreign nations that have responded in a friendly way to the invitation of this Government to participate in the exposition, and will, I am sure, meet the approval of our people. The exposition will be one of the most illustrious incidents in our civic history.

I transmit also certain resolutions adopted by representatives of the National Guard of the various States appointed by the governors to attend a convention which was held in Chicago on the 27th of October, 1891, with a view to consider the subject of holding a military encampment at Chicago during the exposition.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *February 25, 1892.*

To the Senate and House of Representatives:

I transmit herewith copy of a memorial of the Wichitas, Caddoes, and affiliated tribes of Indians in Oklahoma Territory in the matter of their claim to the lands they occupy, for consideration in connection with the agreement concluded by and between the Cherokee Commission and said Indians, and also with my communication of the 17th instant,* relative to the act to pay the Choctaw and Chickasaw Indians for certain lands now occupied by the Cheyenne and Arapahoe Indians.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, March 8, 1892.

To the Senate:

I herewith transmit, with a view to its ratification, a convention signed at Washington the 29th of February, 1892, between the Governments of the United States and Her Britannic Majesty, submitting to arbitration the questions which have arisen between those Governments concerning the jurisdictional rights of the United States in the waters of the Bering Sea, and concerning also the preservation of the fur seal in and habitually resorting to the said sea and the rights of the citizens and subjects of either country as regards the taking of fur seal in or habitually resorting to the said waters.

The correspondence not heretofore submitted to Congress in relation to the Bering Sea matter is in course of preparation and will be transmitted without delay.

BENJ. HARRISON.

EXECUTIVE MANSION, *March 9, 1892.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 5th instant from the Secretary of the Interior, submitting the agreement concluded by and between the commissioners for the United States and the Cherokee Nation of Indians of the Indian Territory, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, March 18, 1892.

To the Senate:

I herewith transmit, in answer to the resolution of the Senate of the 3d ultimo, a report from the Acting Secretary of State of the 17th instant,

*See pp. 229–234.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

transmitting information relative to and his opinion as to the purchase of the unpublished correspondence and manuscripts of President James Monroe.

BENJ. HARRISON.

EXECUTIVE MANSION, *March 24, 1892.*

To the Senate and House of Representatives:

I transmit herewith a communication from the Board of Commissioners of the District of Columbia, accompanied by a letter from the chairman of the executive committee organized by the citizens of Washington for the reception and entertainment of the Twenty-sixth Annual Encampment of the Grand Army of the Republic, which is to be held in Washington during September next. An appeal is made for an appropriation by Congress of $100,000, one-half to be paid out of the District revenues, to aid in defraying the expenses attending this reception.

The event is one of very high and, as I believe, of national interest, and the attendance of the surviving Union soldiers will, I do not doubt, be larger than at any annual encampment that has ever been held. The public authorities of the cities or States, or both, in which the encampments have been held have, I believe, usually appropriated liberally to make the occasions worthy and the entertainment hospitable. The parade of the survivors of our great armies upon Pennsylvania avenue will bring vividly back to us those joyful and momentous days when the great victorious armies of the East and of the West marched through the streets of Washington in high parade and were received by our citizens with joyful acclaim. It seems to me that it will be highly appropriate for Congress suitably to aid in making this demonstration impressive and in extending to those soldiers whose lives a beneficent Providence has prolonged an opportunity to see in the security and peace, development and prosperity, which now so happily pervade the national capital the fruits of their sacrifice and valor.

BENJ. HARRISON.

EXECUTIVE MANSION, *April 1, 1892.*

To the Senate of the United States:

In compliance with a resolution of the 30th ultimo, the House of Representatives concurring, I return herewith the bill (S. 1057) entitled "An act to punish the unlawful appropriation of the use of the property of another in the District of Columbia."

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, April 1, 1892.

To the Senate:

I herewith transmit, in answer to the resolutions of the Senate of the 16th and 21st ultimo, a report from the Acting Secretary of State, with

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

accompanying statistics, showing the duties imposed by the Governments of Venezuela and Colombia upon products of the United States imported into these countries.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, April 4, 1892.

To the Senate:

I transmit, in reply to the resolution of the Senate passed in executive session on March 14, 1892, a report from the Secretary of State, with accompanying documents, in relation to the correspondence relating to the nonacceptance of Hon. Henry W. Blair as minister of the United States to the Government of China.

BENJ. HARRISON.

To the Senate: EXECUTIVE MANSION, *April 12, 1892.*

I transmit, in reply to the resolution of the Senate under date of December 15, 1891, a report from the Secretary of State, with accompanying documents, in relation to the correspondence had with regard to the impressment into its service and punishment by the Government of Italy of Nicolino Mileo, a naturalized citizen of the United States.

BENJ. HARRISON.

To the Senate: EXECUTIVE MANSION, *April 14, 1892.*

I herewith transmit, in response to the resolution passed in the Senate on the 10th of March, 1892, a report of the Secretary of State and the accompanying correspondence, had in relation to the claim of the Venezuela Steam Transportation Company for the said company's relief.

BENJ. HARRISON.

To the Senate: EXECUTIVE MANSION, *April 26, 1892.*

I have received the resolution of the Senate of April 23, requesting that, if not incompatible with the public interest, I inform the Senate what steps have been taken toward the securing of an international conference to consider the question of the free coinage of silver at the mints of the nations participating in such conference, or as to the enlarged use of silver in the currency system of said countries, and that I transmit to the Senate any correspondence between the United States and other governments upon the subject, and in response thereto beg respectfully to inform the Senate that in my opinion it would not be compatible with the public interest to lay before the Senate at this time the information requested, but that at the earliest moment after definite information can

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

properly be given all the facts and any correspondence that may take place will be submitted to Congress.

It may not be inappropriate, however, to say here that, believing that the full use of silver as a coined metal upon an agreed ratio by the great commercial nations of the world would very highly promote the prosperity of all their people, I have not and will not let any favorable opportunity pass for the promotion of that most desirable result, or, if free international silver coinage is not presently attainable, then to secure the largest practicable use of that metal.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 11, 1892.*

To the House of Representatives:

In compliance with the resolution of the House of Representatives, the Senate concurring, I return herewith the bill (H. R. 3927) entitled "An act to amend 'An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice-President,' approved January 19, 1886."

BENJ. HARRISON.

EXECUTIVE MANSION, *May 11, 1892.*

To the Senate and House of Representatives:

I transmit herewith the seventh annual report of the Commissioner of Labor, which report relates to the cost of producing textiles and glass in the United States and in Europe. It also comprehends the wages and the cost of living of persons employed in the textile and glass industries.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 25, 1892.*

To the Senate and House of Representatives:

I transmit herewith a communication of the Secretary of War, dated May 24, from which and from the accompanying papers it appears that the late General George W. Cullum, of the United States Army, has by will devised $250,000 to the Government of the United States for the erection of a memorial hall upon the grounds of the Military Academy at West Point, to be used as a "receptacle of statues, busts, mural tablets, and portraits of distinguished deceased officers and graduates of the Military Academy, of paintings of battle scenes, trophies of war, and such other objects as may tend to give elevation to the military profession."

This ample and patriotic gift is hampered by no conditions and involves no appropriation beyond the sum so generously donated.

The executors in order to facilitate action have prepared, and the same is herewith submitted, the outline of a bill to carry into effect the provisions of General Cullum's will.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

There can be no occasion to urge upon Congress the immediate enactment of a suitable law to carry into effect the patriotic purpose expressed in the will.

I suggest that in the bill itself, or by a separate joint resolution, suitable expression be given of the public appreciation of this crowning service to the military profession and to his country rendered by General Cullum.

BENJ. HARRISON.

EXECUTIVE MANSION, *May 25, 1892.*

To the Senate and House of Representatives:

In accordance with the provisions of section 4119 of the Revised Statutes of the United States, I lay before you for revision a copy of the regulations for the consular courts of the United States in Korea, as decreed by the minister of this Government at Seoul March 31, 1892. I also transmit an accompanying report by the Acting Secretary of State.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 20, 1892.*

To the Senate of the United States:

The following resolution was passed by the Senate on the 24th day of February last:

Resolved, That the President be requested, if in his opinion not incompatible with the public interests, to inform the Senate of the proceedings recently had with the representatives of the Dominion of Canada and of the British Government as to arrangements for reciprocal trade between Canada and the United States.

In response thereto I now submit the following information:

On the 15th day of April last the Secretary of State submitted to me a report, which is herewith transmitted. Shortly after the report came into my possession I was advised by the Secretary that the British minister at this capital had informed him that the Canadian government desired a further conference on the subject of the discriminating canal tolls of which this country had complained. This information was accompanied by the suggestion that a response to the resolution of the Senate might properly be delayed until this further conference was held.

On the 3d instant the British minister, in connection with Hon. MacKenzie Bowell and Hon. George E. Foster, members of the Canadian ministry, were received by the Secretary of State and a further conference took place. In both of the conferences referred to Hon. John W. Foster, at the request of the Secretary of State, appeared with him on behalf of this Government; and the report of the latter conference was submitted to me on the 6th instant by Mr. Foster, and is herewith transmitted. The result of the conference as to the practicability of arranging a reciprocity treaty with the Dominion of Canada is clearly stated in

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the letter of Mr. Blaine, and was anticipated, I think, by him and by every other thoughtful American who had considered the subject. A reciprocity treaty limited to the exchange of natural products would have been such only in form. The benefits of such a treaty would have inured almost wholly to Canada. Previous experiments on this line had been unsatisfactory to this Government. A treaty that should be reciprocal in fact and of mutual advantages must necessarily have embraced an important list of manufactured articles and have secured to the United States a free or favored introduction of these articles into Canada as against the world; but it was not believed that the Canadian ministry was ready to propose or assent to such an arrangement. The conclusion of the Canadian commissioners is stated in the report of Mr. Blaine as follows:

> In the second place, it seemed to be impossible for the Canadian government, in view of its present political relations and obligations, to extend to American goods a preferential treatment over those of other countries. As Canada was a part of the British Empire, they did not consider it competent for the Dominion government to enter into any commercial arrangement with the United States from the benefits of which Great Britain and its colonies should be excluded.

It is not for this Government to argue against this announcement of Canadian official opinion. It must be accepted, however, I think, as the statement of a condition which places an insuperable barrier in the way of the attainment of that large and beneficial intercourse and reciprocal trade which might otherwise be developed between the United States and the Dominion.

It will be noticed that Mr. Blaine reports as one of the results of the conference "an informal engagement to repeal and abandon the drawback of 18 cents a ton given to wheat (grain) that is carried through to Montreal and shipped therefrom to Europe. By the American railways running from Ogdensburg and Oswego and other American ports the shippers paid the full 20 cents a ton, while in effect those by the way of Montreal pay only 2 cents. It was understood that the Canadian commissioners, who were all three members of the cabinet, would see to the withdrawal of this discrimination."

From the report of the recent conference by Mr. Foster it will be seen that the Canadian commissioners declare that this statement does not conform to their understanding, and that the only assurance they had intended to give was that the complaint of the Government of the United States should be taken into consideration by the Canadian ministry on their return to Ottawa. Mr. Foster, who was present at the first conference, confirms the statements of Mr. Blaine. While this misunderstanding is unfortunate, the more serious phase of the situation is that instead of rescinding the discriminating canal tolls of which this Government complains the Canadian ministry, after the return of the commissioners from their visit to Washington, on April 4, reissued, without any communication with this Government, the order continuing the discrimination,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

by which a rebate of 18 cents a ton is allowed upon grain going to Montreal, but not to American ports, and refusing this rebate even to grain going to Montreal if transshipped at an American port.

The report of Mr. Partridge, the Solicitor of the Department of State, which accompanies the letter of the Secretary of State, states these discriminations very clearly. That these orders as to canal tolls and rebates are in direct violation of Article XXVII of the treaty of 1871 seems to be clear. It is wholly evasive to say that there is no discrimination between Canadian and American vessels; that the rebate is allowed to both without favor upon grain carried through to Montreal or transshipped at a Canadian port to Montreal. The treaty runs:

> To secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the Dominion on terms of equality with the inhabitants of the Dominion.

It was intended to give to consumers in the United States, to our people engaged in railroad transportation, and to those exporting from our ports equal terms in passing their merchandise through these canals. This absolute equality of treatment was the consideration for concessions on the part of this Government made in the same article of the treaty, and which have been faithfully kept.

It is a matter of regret that the Canadian government has not responded promptly to our request for the removal of these discriminating tolls.

The papers submitted show how serious the loss inflicted is upon our lake vessels and upon some of our lake ports. In view of the fact that the Canadian commissioners still contest with us the claim that these tolls are discriminating and insist that they constitute no violation of the letter or spirit of Article XXVII of the treaty, it would seem appropriate that Congress, if the view held by the Executive is approved, should with deliberation and yet with promptness take such steps as may be necessary to secure the just rights of our citizens.

In view of the delays which have already taken place in transmitting this correspondence to Congress, I have not felt justified in awaiting the further communication from the government of Canada which was suggested in the recent conference.

Should any proposition relating to this matter be received it will be immediately submitted for the consideration of the Senate, and if forwarded within the time suggested will undoubtedly anticipate any final action by Congress.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *June 20, 1892.*

In response to the resolution of the Senate dated March 14, 1892, requesting that certain specified correspondence in regard to the claim of

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Antonio Maximo Mora against the Government of Spain be communicated to it, if not incompatible with the public interests, I transmit herewith the report of the Acting Secretary of State on the matter.

BENJ. HARRISON.

EXECUTIVE MANSION, *June 27, 1892.*

To the Senate:

In response to the resolution of the Senate dated April 6, 1892, directing the Secretary of State to send to the Senate, if not incompatible with the public interests, copies of all commercial agreements made with other countries, and also to report what steps have been taken to negotiate a reciprocal commercial treaty with Mexico, I submit herewith the reply of the Acting Secretary of State to that resolution.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 1, 1892.*

To the Senate:

For the information of the Senate and in further response to the resolution of the Senate of February 24 last, I transmit herewith a communication of the 24th ultimo from Mr. Herbert, the acting representative of the British Government at this capital, addressed to Mr. Wharton, Acting Secretary of State, upon the subject of Canadian canal tolls; also a memorandum prepared and submitted to me by Mr. Adee, Second Assistant Secretary of State, reviewing the communication of Mr. Herbert, and a letter of the 28th ultimo from Mr. John W. Foster, who, as I have previously stated, with Mr. Blaine represented this Government in the conferences with the Canadian commissioners.

The position taken by this Government, as expressed in my previous communication to the Senate, that the canal tolls and regulations of which complaint has been made are in violation of our treaty with Great Britain, is not shaken, but rather confirmed.—

There can be no doubt that a serious discrimination against our citizens and our commerce exists, and quite as little doubt that this discrimination is not the incident but the purpose of the Canadian regulation.

It has not seemed to me that this was a case in which we could yield to the suggestion of further concessions on the part of the United States with a view to securing treaty rights for which a consideration has already been given.

BENJ. HARRISON.

EXECUTIVE MANSION, *July 21, 1892.*

To the Senate and House of Representatives:

I herewith transmit, for the information of Congress, a communication from the Secretary of State, forwarding certain bulletins of the American Republics.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION,
Washington, July 23, 1892.

To the Senate of the United States:

I transmit, in reply to the resolution of the Senate passed in executive session on the 21st instant and addressed to the Secretary of State, a report of that officer, with accompanying documents, in further relation to the nonacceptance of the Hon. Henry W. Blair as minister of the United States to the Government of China, which question was the occasion of my recent message to the Senate of the 4th of April last.*

BENJ. HARRISON.

EXECUTIVE MANSION, *July 25, 1892.*

To the Senate:

I herewith transmit, in reply to the resolution of the Senate of June 6, 1892, a report from the Secretary of State, with its accompanying papers, in relation to guano deposits on Arcas Cays or Islands.

BENJ. HARRISON.

WASHINGTON, D. C., *July 27, 1892.*

To the Senate and House of Representatives:

I transmit herewith, with its accompaniments, a report from the Secretary of the Navy of the results of the survey made pursuant to the act of March 2, 1891, "to enable the President to cause careful soundings to be made between San Francisco, Cal., and Honolulu, in the Kingdom of the Hawaiian Islands, for the purpose of determining the practicability of the laying of a telegraphic cable between those points."

BENJ. HARRISON.

VETO MESSAGES.

EXECUTIVE MANSION, *July 19, 1892.*

To the Senate:

I return herewith without my approval the bill (S. 2729) entitled "An act to amend an act entitled 'An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes.'"

The original act to which this amendment is proposed, constituting an intermediate court of appeals, had for its object the relief of the Supreme Court by limiting the cases which might be brought up for hearing in that court. The first section of the bill under consideration allows appeals in criminal cases where the sentence imposes no imprisonment and the fine is as much as $1,000. The effect of this provision will be to

* See p. 238.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

bring to the Supreme Court many cases that in my opinion should be finally determined in the intermediate appellate court, and so in part to defeat the general purpose of Congress in constituting the intermediate court. But this objection would not alone have sufficient weight in my mind to induce me to return the bill. Section 3 of the bill is as follows:

> That no appeal shall hereafter be allowed from judgments of the Court of Claims in cases under the act of March 3, 1891, entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," except where the adjudication involves the construction or application of the Constitution or the validity or construction of a treaty or the constitutionality of a law of the United States: *Provided, however*, That upon such appeal it shall be competent for the Supreme Court to require, by certiorari or otherwise, the whole case to be certified for its review and determination upon the facts as well as the law.

I am advised by the Attorney-General that under the Indian-depredations act 8,000 cases, involving an aggregate of damages claimed of about $30,000,000, have already been filed. A number of these cases involve as much as $100,000 each, while a few involve as much as $500,000 each and one something over $1,000,000. The damages which may be awarded in these cases by the Court of Claims are to be paid out of the trust funds of the Indians held by the United States, or, if there are no such funds, out of the Treasury of the United States. The law referring these cases to the Court of Claims has had no judicial interpretation, and many novel and difficult questions are likely to arise. It is quite a startling proposition, and a very novel one, I think, that there shall be absolutely no opportunity for the review in an appellate court, in cases involving such large amounts, of questions involving the construction of the statute under which the court is proceeding, or those various questions of law, many of them new, which necessarily arise in such cases.

Neither the claimants, the Indians, nor the Government of the United States should be absolutely denied opportunity to bring their exceptions to review by some appellate tribunal. I would not suggest that an appeal should be allowed in all cases. Some limitation as to amount would be reasonable, and perhaps some discretion might be lodged in the Supreme Court as to granting appeals. The limitations, however, imposed by the section I have quoted are so severe and unreasonable, in my judgment, that I have felt compelled to return the bill to the Senate with a view to its reconsideration.

BENJ. HARRISON.

To the Senate:

EXECUTIVE MANSION, *July 29, 1892.*

I return herewith without my approval the bill (S. 1958) entitled "An act to submit to the Court of Private Land Claims, established by an act of Congress approved March 3, 1891, the title of William McGarrahan to the Rancho Panoche Grande, in the State of California, and for other purposes."

This bill came to me on the 20th instant, at a time when very many

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

other bills were submitted for my consideration, and it has not been possible for me to make such an examination of the history of Mr. McGarrahan's claim as would be necessary to form an intelligent judgment as to its merits and just extent. It is quite possible that he has been wronged and that he has a claim for some reparation from the Government. I can not, however, think that this bill proceeds upon a just basis. It provides that Mr. McGarrahan shall file his claim as the assignee of Gomez in the Court of Private Land Claims for the lands described in the title, and that if the court establishes the grant to Gomez it shall be confirmed to McGarrahan. No evidence that he is the assignee of Gomez is, I think, required by the bill, which assumes that fact instead of submitting it to the court. If the claim is established, it is provided in substance that all lands part of said grant which have been conveyed by the Government or are in the occupancy of actual settlers, or "upon which there are any smelting or reduction works, or the lands claimed in connection with such reduction or smelting works," shall be excepted from the patent which the Secretary of the Interior is directed to issue to McGarrahan. By this provision the title of the New Idria Mining Company, which has long contested with McGarrahan the title to a large part of this property, is established and that company is relieved from any responsibility to account for the profits made in mining. On the other hand, the United States waives all benefit of judicial proceedings which have resulted in its favor and gives Mr. McGarrahan an opportunity *de novo* to try all such questions; and the decision, if in his favor, is not only to restore to him all the lands yet undisposed of, but the United States assumes to pay him the value of the lands appropriated by others and of their use for all these years and to account to him for all profits that have been made by the New Idria Mining Company or anyone else in quicksilver or other mining.

This seems to me to be wholly inadmissible. The amount involved must be enormously large, though at present incapable of any accurate estimate. If the title of the New Idria Company has been established by final decrees of court placing that title beyond question and that company beyond any call to respond for use and profits, why should the Government of the United States, waiving in its behalf these decrees, which would protect it also, assume a responsibility to account for the value of the lands and for their use and for the net value of minerals extracted by that company or others? It will be noticed in the quotation I have made from the act that this company is allowed to take all the land it may claim, but at the expense of the United States, not of Mr. McGarrahan.

The bill is so framed as to give full protection to the New Idria Mining Company to the full extent of its largest claim, while throwing upon the United States a responsibility which that company should bear if the title of Mr. McGarrahan is established.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

The United States provided a proper tribunal for the trial of claims founded upon Mexican grants. This claim was there tried, and if fraud affected the judgment it is not, I think, chargeable to the Government; the contest was chiefly between rival claimants. In this state of the case it would seem that if the United States consents to open the litigation and to wipe out all judicial findings and decrees a less exacting measure of damages than that proposed in the bill should be agreed on.

It is not my purpose, as I have intimated, to express the opinion that Mr. McGarrahan is entitled to no relief. It seems to me, however, clear that he is not entitled to the relief given by this bill, and that it does not adequately protect the interests of the United States.

BENJ. HARRISON.

EXECUTIVE MANSION, *August 3, 1892.*

To the Senate:

I return herewith without my approval the bill (S. 1111) entitled "An act to amend the act of Congress approved March 3, 1887, entitled 'An act to provide for the bringing of suits against the Government of the United States.'"

If I may judge from the very limited discussion of this measure in Congress, the sweeping effects of it upon the administration of the public lands could hardly have been fully realized. From the beginning of the Government the administration of the public lands and the issuing of patents under the land laws have been an Executive function.

The jurisdiction of the courts as to contesting claims for patents has awaited the action of the General Land Office. Land offices have been established and maintained in all the districts where public lands were found, located with reference to the convenience of the settlers, and the proceedings have been informal and inexpensive. It is true that at times, by an administration of the Land Office unfriendly toward the settlers, unnecessary delays involving much hardship have intervened in the issuing of patents, but such is not the case now. The work of the Land Office within the last three years has been so efficient and so friendly to the *bona fidè* settler that the large accumulation of cases there has been swept away, and the office, as I am informed by the Secretary of the Interior, is now engaged upon current business.

It seems to me that a transfer in whole or in part of this business to the courts, some of whose dockets are already loaded with cases, can not tend to expedition, while it is very manifest that, by reason of the greater formality in the taking and presentation of evidence which would be required in court and of the long distances which settlers would have to traverse in order to attend court, the costs in such cases would be enormously increased.

It is proposed by this bill to give what is called concurrent jurisdiction

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

to the district courts of the United States and to the Court of Claims to hear and determine all claims for land patents under any law or grant of the United States. Whether concurrent with each other or with each other and the Land Office is not clear.

It is quite doubtful under the rulings of the Supreme Court whether the courts now provided by law for the Territories are "district courts of the United States" within the meaning of this bill. The effect of this legislation would, if they were held not to be such, be that as to all suits relating to lands in the Territories of New Mexico, Arizona, Utah, and Oklahoma no other forum is provided than the Court of Claims at Washington. In this state of the case a settler, or one who has taken a mineral claim in any of these Territories, would be subject to be brought to the city of Washington for the trial of his case.

In view of the fact that all recent legislation of Congress has been in the direction of subdividing judicial districts and of bringing the United States courts nearer to the litigants, I can only attribute to oversight the passage of this bill, which in my opinion would burden the homesteader and preemptor whose claim is contested, whether by another individual or by any corporation, by compelling him to appear at Washington and to conduct with the formality and expense incident to court proceedings the defense of his title. But even in the case of land contests arising in the States where district courts exist the plaintiff, it will be observed, by this act is given the option to sue in those courts or to bring his adversary to Washington to litigate the claim. Why should he have this advantage, one that is not given so far as I know in any other law fixing the forum of litigation between individuals? Not only is this true, but the Court of Claims was established for the trial of cases between individuals and corporations on the one side and the United States on the other, and so far as I now recall wholly for the trial of money claims.

There are no adequate provisions of law, if any at all, for conducting suits between individuals contesting private rights. The court has one bailiff and one messenger, no marshal, and is not provided, I think, either with the machinery or with the appropriation to send its processes to the most distant parts of the country. Yet it is apparent that under this bill the real issue would frequently be between rival claimants, and not between either and the United States. This court, too, is already burdened with business since the reference to it of the Indian depredation claims, the French spoliation claims, etc., and it certainly can not be thought that a more speedy settlement of land claims could be there obtained than is now given.

Again, the bill is so indefinite in its provisions that it can not be told, I think, what function, if any, remains to be discharged by the General Land Office. It was said in answer to an interrogatory when the bill was under consideration that it did not affect claims pending in the Land Office; and yet it seems to me that its effect is to allow any contestant

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

in the Land Office at any stage of the proceedings there to transfer the whole controversy to the courts. He may take his chances of success in the Land Office, and if at any time he becomes apprehensive of an adverse decision he may begin *de novo* in the courts.

If it was intended to preserve the jurisdiction of the Land Office and to hold cases there until a judgment had been reached, the bill should have so provided, for it is capable of, and indeed seems to me compels, the construction that either party may forsake the Land Office at any stage of a contest. I am quite inclined to believe that if provision were made, as in section 1063 of the Revised Statutes, relating to claims in other departments, for the transfer to a proper court, under proper regulations, of certain contest cases involving questions affecting large classes of claims, it would be a relief to the Land Office and would tend to a more speedy adjustment of land titles in such cases, a result which would be in the interest of all our people.

Nothing is more disadvantageous to a community, its progress and peace, than unsettled land titles. This bill, however, as I have said, is so radical and seems to me to be so indefinite in its provisions that I can not give it my approval.

BENJ. HARRISON.

PROCLAMATIONS.

By the President of the United States of America.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Salvador the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Salvador at Washington has communicated to the Secretary of State the fact that, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Salvador will by due legal enactment, as a provisional measure and until a more complete arrangement may be negotiated and put in operation, admit free of all duty, from and after February 1, 1892, into all the established ports of entry of Salvador the articles or merchandise

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

named in the following schedule, provided that the same be the product or manufacture of the United States:

SCHEDULE OF PRODUCTS AND MANUFACTURES WHICH THE REPUBLIC OF SALVADOR WILL ADMIT FREE OF ALL CUSTOMS, MUNICIPAL, AND ANY OTHER KIND OF DUTY.

1. Animals for breeding purposes.
2. Corn, rice, barley, and rye.
3. Beans.
4. Hay and straw for forage.
5. Fruits, fresh.
6. Preparations of flour in biscuits, crackers not sweetened, macaroni, vermicelli, and tallarin.
7. Coal, mineral.
8. Roman cement.
9. Hydraulic lime.
10. Bricks, fire bricks, and crucibles for melting.
11. Marble, dressed, for furniture, statues, fountains, gravestones, and building purposes.
12. Tar, vegetable and mineral.
13. Guano and other fertilizers, natural or artificial.
14. Plows and all other agricultural tools and implements.
15. Machinery of all kinds, including sewing machines, and separate or extra parts for the same.
16. Materials of all kinds for the construction and equipment of railroads.
17. Materials of all kinds for the construction and operation of telegraphic and telephonic lines.
18. Materials of all kinds for lighting by electricity and gas.
19. Materials of all kinds for the construction of wharves.
20. Apparatus for distilling liquors.
21. Wood of all kinds for building, in trunks or pieces, beams, rafters, planks, boards, shingles, or flooring.
22. Wooden staves, heads, and hoops, and barrels and boxes for packing, mounted or in pieces.
23. Houses of wood or iron, complete or in parts.
24. Wagons, carts, and carriages of all kinds.
25. Barrels, casks, and tanks of iron for water.
26. Tubes of iron and all other accessories necessary for water supply.
27. Wire, barbed, and staples for fences.
28. Plates of iron for building purposes.
29. Mineral ores.
30. Kettles of iron for making salt.
31. Kettles of iron for making sugar.
32. Molds for making sugar.
33. Guys for mining purposes.
34. Furnaces and instruments for assaying metals.
35. Scientific instruments.
36. Models of machinery and buildings.
37. Boats, lighters, tackle, anchors, chains, girtlines, sails, and all other articles for vessels, to be used in the ports, lakes, and rivers of the Republic.
38. Printing materials, including presses, type, ink, and all other accessories.
39. Printed books, pamphlets, and newspapers, bound or unbound, maps, photographs, printed music, and paper for music.
40. Paper for printing newspapers.
41. Quicksilver.
42. Loadstones.
43. Hops.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

44. Sulphate of quinine.
45. Gold and silver in bars, dust, or coin.
46. Samples of merchandise the duties on which do not exceed $1.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

And that the Government of Salvador has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedule are the product or manufacture of the United States of America shall impose no additional charges on the importer nor undue restrictions on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Salvador at Washington that this action of the Government of Salvador in granting freedom of duties to the products and manufactures of the United States of America on their importation into Salvador and in stipulating for a more complete reciprocity arrangement is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Salvador to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 31st day of December, 1891, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservation and the limits thereof.

And whereas the public lands in the Territory of New Mexico within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the Territory of New Mexico and particularly described as follows, to wit:

Commencing at the standard corner to township seventeen (17) north, ranges thirteen (13) and fourteen (14) east (New Mexico principal base and meridian) on the fourth (4th) standard parallel north; thence northerly along the range line between ranges thirteen (13) and fourteen (14) east to the closing corner between ranges thirteen (13) and fourteen (14) east on the fifth (5th) standard parallel north; thence along said fifth (5th) standard parallel to the southeast corner of township twenty-one (21) north, range thirteen (13) east; thence north six (6) miles; thence west twelve (12) miles; thence due south to the fifth (5th) standard parallel; thence westerly on said fifth (5th) standard parallel to a point due north of the northwest corner of township seventeen (17) north, range eleven (11) east; thence south to the fourth (4th) standard parallel; thence westerly on said fourth (4th) standard parallel north seven and sixty-two one-hundredths (7.62) chains to the northwest corner of township sixteen (16) north, range eleven (11) east; thence southerly on the range line between townships sixteen (16) north, ranges ten (10) and eleven (11) east, three (3) miles and three and forty-three hundredths (3.43) chains to the corner to sections thirteen (13), eighteen (18), nineteen (19), and twenty-four (24) on said range line; thence easterly along the section lines to the range line between ranges eleven (11) and twelve (12) east; thence northerly three (3) miles and three (3) chains to the fourth (4th) standard parallel north; thence easterly on said fourth (4th) standard parallel eight (8) and fifty-hundredths (8.50) chains to the standard corner to township seventeen (17) north, ranges eleven (11) and twelve (12) east; thence northerly on the range line to the southwest corner of township eighteen (18) north, range twelve (12) east; thence easterly on the township line six (6) miles one and six-hundredths (1.06) chains to the southeast corner of township eighteen (18) north, range twelve (12) east; thence south six (6) miles to the fourth (4th) standard parallel north; thence east along said fourth (4th) standard parallel to the place of beginning.

Excepting from the force and effect of this proclamation all land which may have been prior to the date hereof embraced in any valid Spanish or Mexican grant or in any legal entry or covered by any lawful filing duly made in the proper United States land office, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman or claimant continues to comply with the law under which the entry, filing, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 11th day of January, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the attention of the Government of Great Britain was called to the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Great Britain at Washington has communicated to the Secretary of State the fact that, in view of the act of Congress above cited, the Government of Great Britain has by due legal enactment authorized the admission, from and after February 1, 1892, of the articles in merchandise named in the following schedules, on the terms stated therein, into the British colonies of Trinidad (which includes Tobago), Barbados, the Leeward Islands (consisting of the islands of Antigua, Montserrat, St. Christopher, Nevis, Dominica, with their respective dependencies, and the Virgin Islands), the Windward Islands (consisting of St. Lucia, St. Vincent, and their dependencies, but exclusive of Grenada and its dependencies), and into the colony of British Guiana on and after April 1, 1892:

TABLE NO. 1.—APPLICABLE TO BRITISH GUIANA, TRINIDAD AND TOBAGO, BARBADOS, THE LEEWARD ISLANDS, AND THE WINDWARD ISLANDS EXCEPTING THE ISLAND OF GRENADA.

SCHEDULE A.

Articles to be admitted free of all customs duty and any other national, colonial, or municipal charges:

1. Animals, alive, to include only asses, sheep, goats, hogs, and poultry, and horses for breeding.
2. Beef, including tongues, smoked and dried.
3. Beef and pork preserved in cans.
4. Belting for machinery, of leather, canvas, or india rubber.
5. Boats and lighters.
6. Books,* bound or unbound, pamphlets, newspapers, and printed matter in all languages.
7. Bones and horns.
8. Bottles of glass or stone ware.
9. Bran, middlings, and shorts.

*The importation of books is subject to the provisions of copyright laws.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

10. Bridges of iron or wood, or of both combined.
11. Brooms, brushes, and whisks of broom straw.
12. Candles, tallow.
13. Carts, wagons, cars, and barrows, with or without springs, for ordinary roads and agricultural use, not including vehicles of pleasure.
14. Clocks, mantel or wall.
15. Copper, bronze, zinc, and lead articles, plain and nickel plated, for industrial and domestic uses and for building.
16. Cotton seed and its products.
17. Crucibles and melting pots of all kinds.
18. Eggs.
19. Fertilizers of all kinds, natural and artificial.
20. Fish, fresh or on ice, and salmon and oysters in cans.
21. Fishing apparatus of all kinds.
22. Fruits and vegetables, fresh and dried, when not canned, tinned, or bottled.
23. Gas fixtures and pipes.
24. Gold and silver coin of the United States, and bullion.
25. Hay and straw for forage.
26. Houses of wood, complete.
27. Ice.
28. India-rubber and gutta-percha goods, including waterproof clothing made wholly or in part thereof.
29. Implements, utensils, and tools for agriculture, exclusive of cutlasses and forks.
30. Lamps and lanterns.
31. Lime of all kinds.
32. Locomotives, railway rolling stock, rails, railway ties, and all materials and appliances for railways and tramways.
33. Marble or alabaster, in the rough or squared, worked or carved, for building purposes or monuments.
34. Medicinal extracts and preparations of all kinds, including proprietary or patent medicines, but exclusive of quinine or preparations of quinine, opium, gange, and bhang.
35. Paper of all kinds for printing.
36. Paper of wood or straw for wrapping and packing, including surface coated or glazed.
37. Photographic apparatus and chemicals.
38. Printers' ink, all colors.
39. Printing presses, types, rules, spaces, and all accessories for printing.
40. Quicksilver.
41. Resin, tar, pitch, and turpentine.
42. Salt.
43. Sewing machines and all parts and accessories thereof.
44. Shipbuilding materials and accessories of all kinds, when used in the construction, equipment, or repair of vessels or boats of any kind, except rope and cordage of all kinds, including wire rope.
45. Starch of Indian corn or maize.
46. Steam and power engines, and machines, machinery, and apparatus, whether stationary or portable, worked by power or by hand, for agriculture, irrigation, mining, the arts and industries of all kinds, and all necessary parts and appliances for the erection or repair thereof or the communication of motive power thereto.
47. Steam boilers and steam pipes.
48. Sulphur.
49. Tan bark of all kinds, whole or ground.
50. Telegraph wire, telegraphic, telephonic, and electrical apparatus and appliances of all kinds for communication or illumination.
51. Trees, plants, vines, and seeds and grains of all kinds, for propagation or cultivation.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

52. Varnish, not containing spirits.
53. Wall papers.
54. Watches when not cased in gold or silver, and watch movements uncased.
55. Water pipes of all classes, materials, and dimensions.
56. Wire for fences, the hooks, staples, nails, and the like appliances for fastening the same.
57. Yeast cake and baking powders.
58. Zinc, tin, and lead, in sheets, asbestus, and tar paper, for roofing.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

SCHEDULE B.

Articles to be admitted at 50 per cent reduction of the duty designated in the respective customs tariff now in force in each of said colonies:

1. Bacon and bacon hams.
2. Boots and shoes made wholly or in part of leather.
3. Bread and biscuit.
4. Cheese.
5. Lard and its compounds.
6. Mules.
7. Oleomargarine.
8. Shooks and staves.

SCHEDULE C.

Articles to be admitted at 25 per cent reduction of the duty designated in the respective customs tariff now in force in each of said colonies:

1. Beef, salted or pickled.
2. Corn or maize.
3. Corn meal.
4. Flour of wheat.
5. Lumber of pitch pine, in rough or prepared for buildings.
6. Petroleum and its products, crude or refined.
7. Pork, salted or pickled.
8. Wheat.

It is understood that No. 4 of this schedule shall not apply to the colony of Trinidad, but it is stipulated that the duty on flour in said colony shall not exceed 75 cents per barrel.

And that the Government of Great Britain has by due legal enactment authorized the admission, from and after February 1, 1892, of the articles or merchandise named in the following schedules, on the terms stated therein, into the British colony of Jamaica and its dependencies:

TABLE NO. 2.—APPLICABLE TO THE COLONY OF JAMAICA AND ITS DEPENDENCIES.

SCHEDULE A.

Articles to be admitted free of all customs duty and any other national, colonial, or municipal charges:

1. Animals, alive, and poultry.
2. Beef, including tongues, smoked and dried.
3. Beef and pork preserved in cans.
4. Belting for machinery, of leather, canvas, or india rubber.
5. Boats and lighters.
6. Books,* bound or unbound, pamphlets, newspapers, and printed matter in all languages.
7. Bones and horns.

*The importation of books is subject to the provisions of copyright laws.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

8. Bottles of glass or stone ware.
9. Bran, middlings, and shorts.
10. Bridges of iron or wood, or of both combined.
11. Brooms, brushes, and whisks of broom straw.
12. Candles, tallow.
13. Carts, wagons, cars, and barrows, with or without springs, for ordinary roads and agricultural use, not including vehicles of pleasure.
14. Coal and coke.
15. Clocks, mantel or wall.
16. Cotton seed and its products, to include meal, meal cake, oil, and cottolene.
17. Crucibles and melting pots of all kinds.
18. Drawings, paintings, engravings, lithographs, and photographs
19. Eggs.
20. Fertilizers of all kinds, natural and artificial.
21. Fish, fresh or on ice, and oysters in cans.
22. Fishing apparatus of all kinds.
23. Fruits and vegetables, fresh and dried, when not canned, tinned, or bottled.
24. Gas fixtures and pipes.
25. Gold and silver coin of the United States, and bullion.
26. Hay and straw for forage.
27. Houses of wood, complete.
28. Ice.
29. India-rubber and gutta-percha goods, including waterproof clothing made wholly or in part thereof.
30. Implements, utensils, and tools for agriculture, exclusive of cutlasses and forks.
31. Iron, galvanized.
32. Iron for roofing.
33. Lamps and lanterns, not exceeding 10 shillings each in value.
34. Lime of all kinds.
35. Locomotives, railway rolling stock, rails, railway ties, and all materials and appliances for railways and tramways.
36. Marble or alabaster, in the rough or squared, worked or carved, for building purposes or monuments.
37. Paper of all kinds for printing.
38. Paper of wood or straw for wrapping and packing, including surface coated or glazed.
39. Photographic apparatus and chemicals.
40. Printers' ink, all colors.
41. Printing presses, types, rules, spaces, and all accessories for printing.
42. Proprietary or patent medicines, recommended by their proprietors as calculated to cure disease or alleviate pain in the human subject.
43. Quicksilver.
44. Resin, tar, pitch, and turpentine.
45. Sewing machines and all parts and accessories thereof.
46. Shipbuilding materials and accessories of all kinds, when used in the construction, equipment, or repair of vessels or boats of any kind, except rope and cordage of all kinds, including wire rope, and subject to specific regulations to avoid abuse in the importation.
47. Shooks and staves.
48. Starch of Indian corn or maize.
49. Steam and power engines, and machines, machinery, and apparatus, whether stationary or portable, worked by power or by hand, for agriculture, irrigation, mining, the arts and industries of all kinds, and all necessary parts and appliances for the erection or repair thereof or the communication of motive power thereto.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

50. Steam boilers and steam pipes.
51. Sugar, refined.
52. Sulphur.
53. Tallow and animal greases.
54. Tan bark of all kinds, whole or ground.
55. Telegraph wire, telegraphic, telephonic, and electrical apparatus and appliances of all kinds for communication or illumination.
56. Trees, plants, vines, and seeds and grains of all kinds for propagation or cultivation.
57. Varnish, not containing spirits.
58. Wall papers.
59. Watches when not cased in gold or silver, and watch movements uncased.
60. Water pipes of all classes, materials, and dimensions.
61. Wire for fences, with the hooks, staples, nails, and the like appliances for fastening the same.
62. Yeast cake and baking powders.
63. Zinc, tin, and lead, in sheets, asbestus, and tar paper, for roofing.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

SCHEDULE B.

Articles to be admitted at 50 per cent reduction of the duty designated in the customs tariff now in force:

1. Bacon and bacon hams.
2. Bread and biscuit.
3. Butter.
4. Cheese.
5. Lard and its compounds.

Lumber of pitch pine, in rough or prepared for buildings, to be reduced to 9 shillings per 1,000 feet.

SCHEDULE C.

Articles to be admitted at 25 per cent reduction of the duty designated in the customs tariff now in force:

1. Beef, salted or pickled.
2. Corn and maize.
3. Corn meal.
4. Oats.
5. Petroleum and its products, crude or refined.
6. Pork, salted or pickled.
7. Wheat.

And whereas the Secretary of State has, by my direction, given the assurance to the envoy extraordinary and minister plenipotentiary of Great Britain at Washington that this action of the Government of Great Britain in granting remissions and alterations of duties in the British colonies above mentioned is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of the aforesaid British colonies to be made public for the information of the citizens of the United States of America.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of February, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports and for other purposes," the attention of the Government of the German Empire was called to the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the chargé d'affaires of the German Empire at Washington has communicated to the special plenipotentiary of the United States the fact that, in view of the act of Congress above cited, the German Imperial Government has by due legal enactment authorized the admission, from and after February 1, 1892, into the German Empire of the articles or merchandise the product of the United States of America named in the following schedule, on the terms stated therein:

Schedules of articles to be admitted into Germany.

Articles.	Rate of duty per 100 kilograms.
	Marks.
1. Bran; malted germs	Free.
2. Flax, raw, dried, broken, or hatcheled; also refuse portions	Free.
3. Wheat	3.50
4. Rye	3.50
5. Oats	2.80
6. Buckwheat	2.00
7. Pulse	1.50
8. Other kinds of grain not specially mentioned	1.00
9. Barley	2.00
10. Rape seed, turnip seed, poppy, sesame, peanuts, and other oleaginous products not specially mentioned	2.00
11. Maize (Indian corn)	1.60
12. Malt (malted barley)	3.60
13. Anise, coriander, fennel, and caraway seed	3.00
14. Agricultural productions not otherwise designated	Free.
15. Horsehair, raw, hatcheled, boiled, dyed, also laid in the form of tresses and spun; bristles; raw bed feathers	Free.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Schedules of articles to be admitted into Germany—Continued.

Articles.	Rate of duty per 100 kilograms.
	Marks.
16. Bed feathers, cleaned and prepared	Free.
17. Hides and skins, raw (green, salted, limed, dried), and stripped of the hair for the manufacture of leather	Free.
18. Charcoal	Free.
19. Bark of wood and tan bark	Free.
20. Lumber and timber:	
(*a*) Raw or merely roughhewn with ax or saw, with or without bark; oaken barrel staves	0.20
(*b*) Marked in the direction of the longitudinal axis, or prepared or cut otherwise than by roughhewing; barrel staves not included under (*a*); unpeeled osiers and hoops; hubs, fellies, and spokes	0.30
(*c*) Sawed in the direction of the longitudinal axis; unplaned boards; sawed cantle woods and other articles sawn or hewn	0.80
21. Wood in cut veneering; unglued, unstained parts of floors	5.00
22. Hops; also hop meal	*14.00
23. Butter; also artificial butter	17.00
24. Meat, slaughtered, fresh, with the exception of pork	15.00
25. Pork, slaughtered, fresh, and dressed meat, with the exception of bacon, fresh or prepared	17.00
26. Game of all kinds (not alive)	20.00
27. Cheese, except Strecchino, Gorgonzola, and Parmesan	20.00
28. Fruit, seeds, berries, leaves, flowers, mushrooms, vegetables, dried, baked, pulverized, only boiled down or salted—all these products so far as they are not included under other numbers of the tariff; juices of fruits, berries, and turnips, preserved without sugar, to be eaten; dry nuts	4.00
29. Mill products of grain and pulse, to wit, ground or shelled grains, peeled barley, groats, grits, flour, common cakes (bakers' products)	7.30
30. Residue, solid, from the manufacture of fat oils, also ground	Free.
31. Goose grease and other greasy fats, such as oleomargarine, sperfett (a mixture of stearic fats with oil), beef marrow	10.00
32. Live animals and animal products not mentioned elsewhere; also beehives with live bees	Free.
33. Horses (remarks)	each.. 20.00
(*a*) Horses up to 2 years old	do... 10.00
(*b*) Colts following their dams	Free.
34. Bulls and cows	9.00
35. Oxen	25.50
36. Calves less than 6 weeks old	3.00
37. Hogs	5.00
38. Pigs weighing less than 10 kilograms	1.00
39. Sheep	1.00
40. Lambs	0.50
41. Wool, including animal hair not mentioned elsewhere, as well as stuffs made thereof:	
(*a*) Wool, raw, dyed, ground; also hair, raw, hatcheled, boiled, dyed; also curled	Free.

*Gross.

And whereas the special plenipotentiary of the United States has, by my direction, given assurance to the chargé d'affaires of the German Empire at Washington that this action of the Government of the German Empire in granting exemption of duties to the products and manufactures of the United States of America on their importation into Germany

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of the German Empire to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 1st day of February, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Colorado within the limits hereafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Colorado and particularly described as follows, to wit:

Commencing at the northeast corner of section four (4), township eleven (11) north, range sixty-seven (67) west of the sixth (6th) principal meridian; thence proceeding westerly along the township line between townships ten (10) and eleven (11) south to the northwest corner of section six (6), township eleven (11) south, range sixty-eight (68) west; thence southerly along the range line between ranges sixty-eight (68) and sixty-nine (69) west to the southwest corner of section

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

eighteen (18), township thirteen (13) south, range sixty-eight (68) west; thence westerly along the section line to the northwest corner of section nineteen (19), township thirteen (13) south, range sixty-nine (69) west; thence southerly along the range line between ranges sixty-nine (69) and seventy (70) west to the southwest corner of section thirty-one (31), township thirteen (13) south, range sixty-nine (69) west; thence east along the township line between townships thirteen (13) and fourteen (14) south to the half-section corner on said township line of section two (2), township fourteen (14) south, range sixty-nine (69) west; thence southerly through the middle of sections two (2), eleven (11), and fourteen (14) to a point in the middle of the north line of section twenty-three (23) of said township and range; thence easterly along said northern section line to the northeast corner of said section; thence southerly between sections twenty-three (23) and twenty-four (24) to the middle of the east line of section twenty-three (23); thence easterly through the middle of section twenty-four (24) to the middle of the east line of said section twenty-four (24), township fourteen (14) south, range sixty-nine (69) west; thence southerly along the range line between ranges sixty-eight (68) and sixty-nine (69) west to the southwest corner of section thirty-one (31), township fifteen (15) south, range sixty-eight (68) west; thence east along the township line between townships fifteen (15) and sixteen (16) south to the southeast corner of section thirty-four (34), township fifteen (15) south, range sixty-seven (67) west; thence northerly along the section line to the northeast corner of the southeast quarter of section twenty-two (22), township fifteen (15) south, range sixty-seven (67) west; thence westerly to the northwest corner of the southeast quarter of section twenty-one (21) of said last-named township and range; thence southerly to the southwest corner of the southeast quarter of section twenty-eight (28) of said township and range; thence westerly along the section line to the corner common to sections twenty-five (25), thirty-one (31), and thirty-six (36) of said township and range; thence northerly on the section line to the corner common to sections one (1), six (6), and twelve (12) of said township and range; thence easterly along the section line to the corner common to sections five (5), six (6), and eight (8); thence southerly along the section line to the southwest corner of section eight (8) of said township and range; thence easterly along the section line to the corner common to sections ten (10), eleven (11), and fourteen (14) of said township and range; thence northerly along the section line to the northeast corner of section three (3); thence westerly to the northwest corner of section three (3) of said township and range; thence northerly along the section line to the corner common to sections sixteen (16), twenty-one (21), twenty-two (22), and fifteen (15), township fourteen (14) south, range sixty-seven (67) west; thence westerly along the section line to the northwest corner of section nineteen (19) of said township and range; thence

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

northerly along the range line between ranges sixty-seven (67) and sixty-eight (68) to the northeast corner of section one (1), township fourteen (14) south, range sixty-eight (68) west; thence easterly along the township line between townships thirteen (13) and fourteen (14) south to the southeast corner of section thirty-three (33) of township thirteen (13) south, range sixty-seven (67) west; thence northerly along the section line to the place of beginning.

Excepting from the force and effect of this proclamation all surveyed land which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly made in the proper United States land office, all unsurveyed lands on which valid settlement has been made under any law of the United States, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 11th day of February, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The following provisions of the laws of the United States are hereby published for the information of all concerned:

Section 1956, Revised Statutes, chapter 3, Title XXIII, enacts that—

No person shall kill any otter, mink, marten, sable, or fur seal, or other fur-bearing animal within the limits of Alaska Territory or in the waters thereof; and every person guilty thereof shall for each offense be fined not less than $200 nor more than $1,000, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, found engaged in violation of this section shall be forfeited; but the Secretary of the Treasury shall have power to authorize the killing of any such mink, marten, sable, or other fur-bearing animal, except fur seals, under such regulations as he may prescribe; and it shall be the duty of the Secretary to prevent the killing of any fur seal and to provide for the execution of the provisions of this section until it is otherwise provided by law, nor shall he grant any special privileges under this section.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Section 3 of the act entitled "An act to provide for the protection of the salmon fisheries of Alaska," approved March 2, 1889, provides that—

SEC. 3. That section 1956 of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Bering Sea; and it shall be the duty of the President at a timely season in each year to issue his proclamation, and cause the same to be published for one month at least in one newspaper (if any such there be) published at each United States port of entry on the Pacific coast, warning all persons against entering said waters for the purpose of violating the provisions of said section; and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

Now, therefore, I, Benjamin Harrison, President of the United States, pursuant to the above-recited statutes, hereby warn all persons against entering the waters of Bering Sea within the dominion of the United States for the purpose of violating the provisions of said section 1956, Revised Statutes; and I hereby proclaim that all persons found to be or to have been engaged in any violation of the laws of the United States in said waters will be arrested and punished as above provided, and that all vessels so employed, their tackle, apparel, furniture, and cargoes, will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of February, 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Nicaragua the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Nicaragua at Washington has communicated to the Secretary of State the fact that, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Government of Nicaragua will by due legal enactment admit free of all duty, from and after April 15, 1892, into all the ports of entry of Nicaragua the articles or merchandise named in the following schedule, provided that the same be the product of the United States:

SCHEDULE OF ARTICLES WHICH THE REPUBLIC OF NICARAGUA WILL ADMIT FREE OF ALL KIND OF DUTY.

1. Animals, live.
2. Barley, Indian corn, wheat, oats, rye, and rice.
3. Seeds of all kinds for agriculture and horticulture.
4. Live plants of all kinds.
5. Corn meal.
6. Starch.
7. Beans, potatoes, and all other vegetables, fresh or dried.
8. Fruits, fresh or dried.
9. Hay, bran, and straw for forage.
10. Cotton-seed oil and all other products of said seed.
11. Tar, resin, and turpentine.
12. Asphalt, crude or manufactured in blocks.
13. Quicksilver for mining purposes.
14. Coal, mineral or animal.
15. Fertilizers for land.
16. Lime and cement.
17. Wood and lumber, in the rough or prepared for building purposes.
18. Houses of wood or iron.
19. Marble, in the rough or dressed, for fountains, gravestones, and building purposes.
20. Tools and implements for agricultural and horticultural purposes.
21. Wagons, carts, and handcarts.
22. Iron and steel, in rails for railroads and other similar uses, and structural iron and steel for bridges and building purposes.
23. Wire, for fences, with or without barbs, clamps, posts, clips, and other accessories of wire, not less than 3 lines in diameter.
24. Machinery of all kinds for agricultural purposes, arts, and trades, and parts of such machinery.
25. Motors of steam or animal power.
26. Forgers, water pumps of metal, pump hose, sledge hammers, drills for mining purposes, iron piping with its keys and faucets, crucibles for melting metals, iron water tanks, and lightning rods.
27. Roofs of galvanized iron, gutters, ridging, clamps, and screws for the same.
28. Printing materials.
29. Books, pamphlets, and other printed matter, and ruled paper for printed music, printing paper in sheets not less than 29 by 20 inches.
30. Geographical maps or charts and celestial and terrestrial spheres or globes.
31. Surgical and mathematical instruments.
32. Stones and fire bricks for smelting furnaces.
33. Vessels and boats of all kinds, fitted together or in parts.
34. Gold and silver in bullion, bars, or coin.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

And that the Government of Nicaragua has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

in the declarations and proof that the articles named in the foregoing schedule are the product of the United States of America shall impose no undue restrictions on the importer nor additional charges on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Nicaragua at Washington that this action of the Government of Nicaragua in granting freedom of duties to the products of the United States of America on their importation into Nicaragua is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Nicaragua to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 12th day of March, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas in section 3 of an act passed by the Congress of the United States entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, it was provided as follows:

That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States which, in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States, he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides the production of such country for such time as he shall deem just; and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides the product of or exported from such designated country—

the duties hereinafter set forth; and

Whereas it has been established to my satisfaction and I find the fact

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

to be that the Government of Colombia does impose duties or other exactions upon the agricultural and other products of the United States which, in view of the free introduction of such sugars, molasses, coffee, tea, and hides into the United States, in accordance with the provisions of said act, I deem to be reciprocally unequal and unreasonable:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the authority vested in me by section 3 of said act, by which it is made my duty to take action, do hereby declare and proclaim that the provisions of said act relating to the free introduction of sugars, molasses, coffee, tea, and hides the production of Colombia shall be suspended from and after this 15th day of March, 1892, and until such time as said unequal and unreasonable duties and exactions are removed by Colombia and public notice of that fact given by the President of the United States; and I do hereby proclaim that on and after this 15th day of March, 1892, there will be levied, collected, and paid upon sugars, molasses, coffee, tea, and hides the product of or exported from Colombia during such suspension duties as provided by said act, as follows:

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic tests as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, seven-tenths of 1 cent per pound, and for every additional degree or fraction of a degree shown by the polariscopic test two-hundredths of 1 cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color and pay duty as follows, namely:

All sugars above No. 13 and not above No. 16 Dutch standard of color, 1⅜ cents per pound.

All sugars above No. 16 and not above No. 20 Dutch standard of color, 1⅝ cents per pound.

All sugars above No. 20 Dutch standard of color, 2 cents per pound.

Molasses testing above 56°, 4 cents per gallon.

Sugar drainings and sugar sweepings shall be subject to duty either as molasses or sugar, as the case may be, according to polariscopic test.

On coffee, 3 cents per pound.

On tea, 10 cents per pound.

Hides, raw or uncured, whether dry, salted, or pickled; Angora-goat skins, raw, without the wool, unmanufactured; asses' skins, raw or unmanufactured, and skins, except sheepskins, with the wool on, 1½ cents per pound.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of March, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas in section 3 of an act passed by the Congress of the United States entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, it was provided as follows:

That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States which, in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States, he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides the production of such country for such time as he shall deem just; and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides the product of or exported from such designated country—

the duties hereinafter set forth; and

Whereas it has been established to my satisfaction and I find the fact to be that the Government of Hayti does impose duties or other exactions upon the agricultural and other products of the United States which, in view of the free introduction of such sugars, molasses, coffee, tea, and hides into the United States, in accordance with the provisions of said act, I deem to be reciprocally unequal and unreasonable:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the authority vested in me by section 3 of said act, by which it is made my duty to take action, do hereby declare and proclaim that the provisions of said act relating to the free introduction of sugars, molasses, coffee, tea, and hides the production of Hayti shall be suspended from and after this 15th day of March, 1892, and until such time as said unequal and unreasonable duties and exactions are removed by Hayti and public notice of that fact given by the President of the United States; and I do hereby proclaim that on and after this 15th day of March, 1892, there will be levied, collected, and paid upon sugars, molasses, coffee, tea, and hides the product of or exported from Hayti during such suspension duties as provided by said act, as follows:

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic tests as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, seven-tenths of 1 cent per pound and for every additional degree or fraction of a degree shown by the polariscopic test two-hundredths of 1 cent per pound additional.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color and pay duty as follows, namely:

All sugar above No. 13 and not above No. 16 Dutch standard of color, 1⅜ cents per pound.

All sugar above No. 16 and not above No. 20 Dutch standard of color, 1⅝ cents per pound.

All sugars above No. 20 Dutch standard of color, 2 cents per pound.

Molasses testing above 56°, 4 cents per gallon.

Sugar drainings and sugar sweepings shall be subject to duty either as molasses or sugar, as the case may be, according to polariscopic test.

On coffee, 3 cents per pound.

On tea, 10 cents per pound.

Hides, raw or uncured, whether dry, salted, or pickled; Angora-goat skins, raw, without the wool, unmanufactured; asses' skins, raw or unmanufactured, and skins, except sheepskins, with the wool on, 1½ cents per pound.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of March, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas in section 3 of an act passed by the Congress of the United States entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, it was provided as follows:

That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States which, in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States, he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides the production of such country for such time as he shall deem just; and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides the product of or exported from such designated country—

the duties hereinafter set forth; and

Whereas it has been established to my satisfaction and I find the fact to be that the Government of Venezuela does impose duties or other

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

exactions upon the agricultural and other products of the United States which, in view of the free introduction of such sugars, molasses, coffee, tea, and hides into the United States, in accordance with the provisions of said act, I deem to be reciprocally unequal and unreasonable:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the authority vested in me by section 3 of said act, by which it is made my duty to take action, do hereby declare and proclaim that the provisions of said act relating to the free introduction of sugars, molasses, coffee, tea, and hides the production of Venezuela shall be suspended from and after this 15th day of March, 1892, and until such time as said unequal and unreasonable duties and exactions are removed by Venezuela and public notice of that fact given by the President of the United States; and I do hereby proclaim that on and after this 15th day of March, 1892, there will be levied, collected, and paid upon sugars, molasses, coffee, tea, and hides the product of or exported from Venezuela during such suspension duties as provided by said act, as follows:

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic tests as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, seven-tenths of 1 cent per pound, and for every additional degree or fraction of a degree shown by the polariscopic test two-hundredths of 1 cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color and pay duty as follows, namely:

All sugar above No. 13 and not above No. 16 Dutch standard of color, 1⅜ cents per pound.

All sugar above No. 16 and not above No. 20 Dutch standard of color, 1⅝ cents per pound.

All sugars above No. 20 Dutch standard of color, 2 cents per pound.

Molasses testing above 56°, 4 cents per gallon.

Sugar drainings and sugar sweepings shall be subject to duty either as molasses or sugar, as the case may be, according to polariscopic test.

On coffee, 3 cents per pound.

On tea, 10 cents per pound.

Hides, raw or uncured, whether dry, salted, or pickled; Angora-goat skins, raw, without the wool, unmanufactured; asses' skins, raw or unmanufactured, and skins, except sheepskins, with the wool on, 1½ cents per pound.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of March, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of an act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the lands hereinafter described are public and forest bearing, and on the 11th day of February last I issued a proclamation * intended to reserve the same as authorized in said act; but as some question has arisen as to the boundaries proclaimed being sufficiently definite to cover the lands intended to be reserved:

Now, therefore, I, Benjamin Harrison, President of the United States, for the purpose of removing any doubt and making the boundaries of said reservation more definite, by virtue of the power in me vested by said act, do hereby issue this my second proclamation and hereby set apart, reserve, and establish as a public reservation all that tract of land situate in the State of Colorado embraced within the following boundary:

Beginning at the northeast corner of section four (4), township eleven (11) south, range sixty-seven (67) west of the sixth (6th) principal meridian; thence westerly along the second (2d) correction line south between townships ten (10) and eleven (11) south to the northwest corner of section six (6), township eleven (11) south, range sixty-eight (68) west; thence southerly along the range line between ranges sixty-eight (68) and sixty-nine (69) west to the southwest corner of section eighteen (18), township thirteen (13) south, range sixty-eight (68) west; thence westerly along the section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) to the northwest corner of section nineteen (19), township thirteen (13) south, range sixty-nine (69) west; thence southerly along the range line between ranges sixty-nine (69) and seventy (70) west to the southwest corner of section thirty-one (31) of said township; thence easterly along the township line between townships thirteen (13) and fourteen (14) south to the quarter-section corner on said township line between section thirty-five (35), township thirteen (13) south, range sixty-nine (69) west, and section two (2), township fourteen (14) south, range sixty-nine (69) west; thence southerly through the middle of sections two (2), eleven (11), and fourteen (14), township fourteen (14) south, range sixty-nine (69) west, to the

* See pp. 260–262.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

quarter-section corner on the section line between sections fourteen (14) and twenty-three (23) of said township and range; thence easterly along said section line to the northeast corner of section twenty-three (23) of said township and range; thence southerly along the section line to the quarter-section corner on said line between sections twenty-three (23) and twenty-four (24) of said township and range; thence easterly through the middle of section twenty-four (24) to the quarter-section corner on the range line between section nineteen (19), township fourteen (14) south, range sixty-eight (68) west, and section twenty-four (24), township fourteen (14) south, range sixty-nine (69) west; thence southerly along said range line to the southwest corner of section thirty-one (31), township fifteen (15) south, range sixty-eight (68) west; thence easterly along the third (3d) correction line south between townships fifteen (15) and sixteen (16) south to the southeast corner of section thirty-four (34), township fifteen (15) south, range sixty-seven (67) west; thence northerly along the section line between sections thirty-four (34) and thirty-five (35), twenty-six (26) and twenty-seven (27), to the point for the quarter-section corner on the section line between sections twenty-two (22) and twenty-three (23), township fifteen (15) south, range sixty-seven (67) west; thence westerly to a point for the legal center of section twenty-one (21) of said township and range; thence southerly to the southwest corner of the southeast quarter of section twenty-eight (28) of said township and range; thence westerly along the section line between sections twenty-eight (28) and thirty-three (33), twenty-nine (29) and thirty-two (32), thirty (30) and thirty-one (31), to the northwest corner of section thirty-one (31) of said township and range; thence northerly on the range line between ranges sixty-seven (67) and sixty-eight (68) west to the southwest corner of section six (6) of said township and range; thence easterly along the section line to the southeast corner of section six (6) of said township and range; thence southerly along the section line to the southwest corner of section eight (8) of said township and range; thence easterly along the section line to the southeast corner of section ten (10) of said township and range; thence northerly along the section line between sections ten (10) and eleven (11), two (2) and three (3), township fifteen (15) south, range sixty-seven (67) west, to the northeast corner of section three (3) of said township and range; thence westerly along the township line between townships fourteen (14) and fifteen (15) south to the northwest corner of section three (3), township fifteen (15) south, range sixty-seven (67) west; thence northerly along the section line between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), to the northeast corner of section twenty-one (21), township fourteen (14) south, range sixty-seven (67) west; thence westerly along the section line between sections sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), eighteen (18) and nineteen

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

(19), to the northwest corner of section nineteen (19) of said township and range; thence northerly along the range line between ranges sixty-seven (67) and sixty-eight (68) west to the northeast corner of section one (1), township fourteen (14) south, range sixty-eight (68) west; thence easterly along the township line between townships thirteen (13) and fourteen (14) south to the southeast corner of section thirty-three (33), township thirteen (13) south, range sixty-seven (67) west; thence northerly along the section line between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4) of townships thirteen (13), twelve (12), and eleven (11) south, range sixty-seven (67) west, to the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of March, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by the third article of the treaty between the United States of America and the Sisseton and Wahpeton bands of Dakota or Sioux Indians concluded February 19, 1867, proclaimed May 2, 1867 (15 U. S. Statutes at Large, p. 505), the United States set apart and reserved for certain of said Indians certain lands, particularly described, being situated

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

partly in North Dakota and partly in South Dakota and known as the Lake Traverse Reservation; and

Whereas by agreement made with said Indians residing on said reservation dated December 12, 1889, they conveyed, as set forth in article 1 thereof, to the United States all their title and interest in and to all the unallotted lands within the limits of the reservation set apart as aforesaid remaining after the allotments shall have been made, which are provided for in article 4 of the agreement, as follows:

> That there shall be allotted to each individual member of the bands of Indians parties hereto a sufficient quantity, which, with the lands heretofore allotted, shall make in each case 160 acres, and in case no allotment has been made to any individual member of said bands, then an allotment of 160 acres shall be made to such individual.

And whereas it is provided in article 2 of said agreement—

> That the cession, sale, relinquishment, and conveyance of the lands described in article 1 of this agreement shall not take effect and be in force until the sum of $342,778.37, together with the sum of $18,400, shall have been paid to said bands of Indians, as set forth and stipulated in article 3 of this agreement.

And whereas it is provided in the act of Congress approved March 3, 1891 (26 U. S. Statutes at Large, pp. 1036–1038), section 30, accepting and ratifying the agreement with said Indians—

> That the lands by said agreement ceded, sold, relinquished, and conveyed to the United States shall immediately, upon the payment to the parties entitled thereto of their share of the funds made immediately available by this act, and upon the completion of the allotments as provided for in said agreement, be subject only to entry and settlement under the homestead and town-site laws of the United States, excepting the sixteenth and thirty-sixth sections of said lands, which shall be reserved for common-school purposes and be subject to the laws of the State wherein located: *Provided*, That patents shall not issue until the settler or entryman shall have paid to the United States the sum of $2.50 per acre for the land taken up by such homesteader, and the title to the lands so entered shall remain in the United States until said money is duly paid by such entryman or his legal representatives, or his widow, who shall have the right to pay the money and complete the entry of her deceased husband in her own name and shall receive a patent for the same.

And whereas payment as required by said act has been made by the United States; and

Whereas allotments as provided for in said agreement, as now appears by the records of the Department of the Interior, will have been made, approved, and completed and all other terms and considerations required will have been complied with on the day and hour hereinafter fixed for opening said lands to settlement:

Now, therefore, I, Benjamin Harrison, President of the United States, do hereby declare and make known that all of the lands embraced in said reservation, saving and excepting the lands reserved for and allotted to said Indians and the lands reserved for other purposes in pursuance of the provisions of said agreement and the said act of Congress ratifying

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the same and other the laws relating thereto, will, at and after the hour of 12 o'clock noon (central standard time) on the 15th day of April, A. D. 1892, and not before, be opened to settlement under the terms of and subject to all the terms and conditions, limitations, reservations, and restrictions contained in said agreements, the statutes above specified, and the laws of the United States applicable thereto.

The lands to be opened for settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Lake Traverse Reservation opened to settlement by proclamation of the President dated April 11, 1892," and which schedule is made a part hereof.

Warning, moreover, is hereby given that until said lands are opened to settlement as herein provided all persons save said Indians are forbidden to enter upon and occupy the same or any part thereof.

And further notice is hereby given that it has been duly ordered that the lands mentioned and included in this proclamation shall be, and the same are, attached to the Fargo and Watertown land districts, in said States, as follows:

1. All that portion of the Lake Traverse Reservation commencing at the northwest corner of said reservation; thence south 12° 2′ west, following the west boundary of the reservation, to the new seventh standard parallel, or boundary line between the States of North and South Dakota; thence east, following the new seventh standard parallel to its intersection with the north boundary of said Indian reservation; thence northwesterly with said boundary to the place of beginning, is attached to the Fargo land district, the office of which is now located at Fargo, N. Dak.

2. All that portion of the Lake Traverse Reservation commencing at a point where the new seventh standard parallel intersects the west boundary of said reservation; thence southerly along the west boundary of said reservation to its extreme southern limit; thence northerly along the east boundary of said reservation to Lake Traverse; thence north with said lake to the northeast corner of the Lake Traverse Indian Reservation; thence westerly with the north boundary of said reservation to its intersection with the new seventh standard parallel, or boundary line between the States of North and South Dakota; thence with the new seventh standard parallel to the place of beginning, is attached to the Watertown land district, the office of which is now located at Watertown, S. Dak.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 11th day of April, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a written agreement made on the —— day of October, 1890, the Cheyenne and Arapahoe tribes of Indians ceded, conveyed, transferred, relinquished, and surrendered all their claim, title, and interest in and to the lands described in article 2 of said agreement as follows, to wit:

Commencing at a point where the Washita River crosses the ninety-eighth degree of west longitude, as surveyed in the years 1858 and 1871; thence north on a line with said ninety-eighth degree to the point where it is crossed by the Red Fork of the Arkansas (sometimes called the Cimarron River); thence up said river, in the middle of the main channel thereof, to the north boundary of the country ceded to the United States by the treaty of June 14, 1866, with the Creek Nation of Indians; thence west on said north boundary and the north boundary of the country ceded to the United States by the treaty of March 21, 1866, with the Seminole Indians to the one hundredth degree of west longitude; thence south on the line of said one hundredth degree to the point where it strikes the North Fork of the Red River; thence down said North Fork of the Red River to a point where it strikes the north line of the Kiowa and Comanche Reservation; thence east along said boundary to a point where it strikes the Washita River; thence down said Washita River, in the middle of the main channel thereof, to the place of beginning; and all other lands or tracts of country in the Indian Territory to which they have or may set up or allege any right, title, interest, or claim whatsoever.

Provided, That every member of said tribes shall have an allotment of 160 acres of land, as in said agreement provided, to be selected within the tract of country so ceded, except land in any part of said reservation now used or occupied for military, agency, school, school-farm, religious, or other public uses, or in sections 16 or 36 in each Congressional township, except, in cases where any Cheyenne or Arapahoe Indian has heretofore made improvements upon and now uses and occupies a part of said sections 16 and 36, such Indian may make his or her selection within the boundaries so prescribed so as to include his or her improvements; and except in that part of the lands by said agreement ceded, now occupied and claimed by the Wichita and affiliated bands of Indians described as follows, to wit:

Commencing at a point in the middle of the main channel of the Washita River where the ninety-eighth meridian of west longitude crosses the same; thence up the middle of the main channel of the said river to the line of 98° 40′ west longitude; thence up said line of 98° 40′ due north to the middle of the main channel of the main Canadian River; thence down the middle of the main Canadian River to where it crosses the ninety-eighth meridian; thence due south to the place of beginning.

And provided, That said sections 16 and 36 in each Congressional township in said reservation shall not become subject to homestead entry, but shall be held by the United States and finally sold for public-school purposes; and that when the allotments of lands shall have been selected and

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

taken by the members of the Cheyenne and Arapahoe tribes as aforesaid and approved by the Secretary of the Interior the title thereto shall be held in trust for the allottees, respectively, for the period of twenty-five years in the manner and to the extent provided for in the act of Congress approved February 8, 1887 (24 U. S. Statutes at Large, p. 388); and

Whereas it is provided in the act of Congress accepting, ratifying, and confirming the said agreement with the Cheyenne and Arapahoe Indians, approved March 3, 1891 (26 U. S. Statutes at Large, pp. 989–1044), section 16—

> That whenever any of the lands acquired by either of the * * * foregoing agreements respecting lands in the Indian or Oklahoma Territory shall by operation of law or proclamation of the President of the United States be opened to settlement they shall be disposed of to actual settlers only, under the provisions of the homestead and town-site laws, except section 2301 of the Revised Statutes of the United States, which shall not apply: *Provided, however*, That each settler on said lands shall before making a final proof and receiving a certificate of entry pay to the United States for the land so taken by him, in addition to the fees provided by law, and within five years from the date of the first original entry, the sum of $1.50 per acre, one-half of which shall be paid within two years; but the rights of honorably discharged Union soldiers and sailors as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States shall not be abridged except as to the sum to be paid as aforesaid; and all the lands in Oklahoma are hereby declared to be agricultural lands, and proof of their nonmineral character shall not be required as a condition precedent to final entry.

And whereas allotments of land in severalty to said Cheyenne and Arapahoe Indians have been made and approved in accordance with law and the provisions of the before-mentioned agreement with them; and

Whereas the lands acquired by the said agreement hereinbefore mentioned have been divided into counties by the Secretary of the Interior, as required by said last-mentioned act of Congress, before the same shall be opened to settlement, and lands have been reserved for county-seat purposes as therein required, as follows, to wit:

For County C, the south one-half of section 19, township 16 north, range 11 west; for County D, the north one-half of section 13, township 18 north, range 17 west; for County E, the south one-half of section 15, township 17 north, range 22 west; for County F, the south one-half of section 8, township 13 north, range 23 west; for County G, the north one-half of section 25, township 13 north, range 17 west; for County H, the south one-half of section 13, township 9 north, range 16 west; and

Whereas it is provided by act of Congress for temporary government of Oklahoma, approved May 2, 1890, section 23 (26 U. S. Statutes at Large, p. 92), that there shall be reserved public highways 4 rods wide between each section of land in said Territory, the section lines being the center of said highways; but no deduction shall be made where cash payments are provided for in the amount to be paid for each quarter section of land by reason of such reservation; and

Whereas all the terms, conditions, and considerations required by said

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

agreement made with said tribes of Indians and by the laws relating thereto precedent to opening said lands to settlement have been, as I hereby declare, complied with:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by the statutes hereinbefore mentioned, also an act of Congress entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1892, and for other purposes," approved March 3, 1891, and by other of the laws of the United States, and by said agreement, do hereby declare and make known that all of said lands hereinbefore described acquired from the Cheyenne and Arapahoe Indians by the agreement aforesaid, saving and excepting the lands allotted to the Indians as in said agreement provided, excepting also the lands hereinbefore described as occupied and claimed by the Wichita and affiliated bands of Indians, or otherwise reserved in pursuance of the provisions of said agreement and the said act of Congress ratifying the same, and other the laws relating thereto, will at the hour of 12 o'clock noon (central standard time), Tuesday, the 19th day of the present month of April, and not before, be opened to settlement under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in said agreement, the statutes above specified, and the laws of the United States applicable thereto.

The lands to be so opened to settlement are for greater convenience particularly described in the accompanying schedule, entitled "Schedule of lands within the Cheyenne and Arapahoe Indian Reservation, Oklahoma Territory, opened to settlement by proclamation of the President."

Each entry shall be in square form as nearly as applicable; and no other lands in the Territory of Oklahoma are opened to settlement under this proclamation, the agreement with the said Cheyenne and Arapahoe Indians, or the act ratifying the same.

Notice, moreover, is hereby given that it is by law enacted that until said lands are opened to settlement by proclamation no person shall be permitted to enter upon and occupy the same, and no person violating this provision shall be permitted to enter any of said lands or acquire any right thereto, and that the officers of the United States will be required to enforce this provision.

And further notice is hereby given that it has been duly ordered that the lands mentioned and included in this proclamation shall be, and the same are, attached to the Western land district, office at Kingfisher, and the Oklahoma land district, office at Oklahoma City, in said Territory of Oklahoma, as follows:

1. All of said lands lying north of the township line between townships 13 and 14 north are attached to the Western land district, the office of which is at Kingfisher, in said Territory.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

2. All of said lands lying south of the township line between townships 13 and 14 north are attached to the Oklahoma land district, the office of which is at Oklahoma City, in the said Territory.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 12th day of April, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement;" and

Whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require;" and

Whereas in virtue of said section 13 of the aforesaid act of Congress a copyright agreement was signed at Washington on January 15, 1892, in the English and German languages, by the representatives of the United States of America and the German Empire, a true copy of the English version of which agreement is, word for word, as follows:

The President of the United States of America and His Majesty the German Emperor, King of Prussia, in the name of the German Empire, being actuated by the desire to extend to their subjects and citizens the full benefit of the legal provisions in force in both countries in regard to copyright, have to this end decided to conclude an agreement and have appointed as their plenipotentiaries:

The President of the United States of America, James G. Blaine, Secretary of State of the United States;

His Majesty the German Emperor, King of Prussia, Alfons Mumm von Schwarzenstein, his chargé d'affaires near the Government of the United States of America, who, being duly authorized, have concluded the following agreement, subject to due ratification:

ARTICLE I. Citizens of the United States of America shall enjoy in the German Empire the protection of copyright as regards works of literature and art, as well as

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

photographs, against illegal reproduction, on the same basis on which such protection is granted to subjects of the Empire.

ART. II. The United States Government engages in return that the President of the United States shall, in pursuance of section 13 of the act of Congress of March 3, 1891, issue the proclamation therein provided for in regard to the extension of the provisions of that act to German subjects as soon as the Secretary of State shall have been officially notified that the present agreement has received the necessary legislative sanction in the German Empire.

ART. III. This agreement shall be ratified and the ratifications shall be exchanged at Washington as soon as possible.

The agreement shall go into operation at the expiration of three weeks from the date of the exchange of its ratifications, and shall be applicable only to works not published at the time when it shall have gone into operation. It shall remain in force until the expiration of three months from the day on which notice of a desire for the cessation of its effects shall have been given by one of the contracting parties.

Done in duplicate in the English and German languages, at the city of Washington, this 15th day of January, 1892.

JAMES G. BLAINE. [SEAL.]
A. v. MUMM. [SEAL.]

And whereas the official notification contemplated by Article II of the said agreement has been received by this Government:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, is now fulfilled in respect to the subjects of the German Empire.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, the 15th day of April, 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Honduras the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the consul-general of Honduras at New York has communicated to the Secretary of State the fact that, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Honduras will by

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

due legal enactment, as a provisional measure and until a more complete arrangement may be negotiated and put in operation, admit free of all duty, from and after May 25, 1892, into all the established ports of entry of Honduras the articles or merchandise named in the following schedule, provided that the same be the product or manufacture of the United States:

SCHEDULE OF PRODUCTS AND MANUFACTURES FROM THE UNITED STATES WHICH THE REPUBLIC OF HONDURAS WILL ADMIT FREE OF ALL CUSTOMS, MUNICIPAL, AND ANY OTHER KIND OF DUTY.

1. Animals for breeding purposes.
2. Corn, rice, barley, and rye.
3. Beans.
4. Hay and straw for forage.
5. Fruits, fresh.
6. Preparations of flour in biscuits, crackers not sweetened, macaroni, vermicelli, and tallarin.
7. Coal, mineral.
8. Roman cement.
9. Hydraulic lime.
10. Bricks, fire bricks, and crucibles for melting.
11. Marble, dressed, for furniture, statues, fountains, gravestones, and building purposes.
12. Tar, vegetable and mineral.
13. Guano and other fertilizers, natural or artificial.
14. Plows and all other agricultural tools and implements.
15. Machinery of all kinds, including sewing machines, and separate or extra parts of the same.
16. Materials of all kinds for the construction and equipment of railroads.
17. Materials of all kinds for the construction and operation of telegraphic and telephonic lines.
18. Materials of all kinds for lighting by electricity and gas.
19. Materials of all kinds for the construction of wharves.
20. Apparatus for distilling liquors.
21. Wood of all kinds for building, in trunks or pieces, beams, rafters, planks, boards, shingles, or flooring.
22. Wooden staves, heads, and hoops, and barrels and boxes for packing, mounted or in pieces.
23. Houses of wood or iron, complete or in parts.
24. Wagons, carts, and carriages of all kinds.
25. Barrels, casks, and tanks of iron for water.
26. Tubes of iron and all other accessories necessary for water supply.
27. Wire, barbed, and staples for fences.
28. Plates of iron for building purposes.
29. Mineral ores.
30. Kettles of iron for making salt.
31. Sugar boilers.
32. Molds for sugar.
33. Guys for mining purposes.
34. Furnaces and instruments for assaying metals.
35. Scientific instruments.
36. Models of machinery and buildings.
37. Boats, lighters, tackle, anchors, chains, girtlines, sails, and all other articles for vessels, to be used in the ports, lakes, and rivers of the Republic.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

38. Printing materials, including presses, type, ink, and all other accessories.
39. Printed books, pamphlets, and newspapers, bound or unbound, maps, photographs, printed music, and paper for music.
40. Paper for printing newspapers.
41. Quicksilver.
42. Loadstones.
43. Hops.
44. Sulphate of quinine.
45. Gold and silver in bars, dust, or coin.
46. Samples of merchandise the duties on which do not exceed $1.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

And that the Government of Honduras has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedule are the product or manufacture of the United States of America shall impose no additional charges on the importer nor undue restrictions on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the consul-general of Honduras at New York that this action of the Government of Honduras in granting freedom of duties to the products and manufactures of the United States of America on their importation into Honduras and in stipulating for a more complete reciprocity arrangement is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Honduras to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 30th day of April, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Guatemala the action of the Congress of the United States of America, with a view to

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the envoy extraordinary and minister plenipotentiary of Guatemala at Washington has communicated to the Secretary of State the fact that, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Guatemala will by due legal enactment of the National Congress of that Republic admit free of all duty, from and after the 30th day after the passage of the said act by the Congress of Guatemala, into all the established ports of entry of that Republic the articles or merchandise named in the following schedule, provided that the same be the product or manufacture of the United States:

SCHEDULE OF ARTICLES THE PRODUCT OR MANUFACTURE OF THE UNITED STATES TO BE ADMITTED INTO GUATEMALA FREE OF ALL CUSTOMS DUTIES AND OF ANY NATIONAL OR MUNICIPAL DUES AND NATIONAL PORT CHARGES.

1. Live animals.
2. Barley, corn or maize, and rye.
3. Corn meal.
4. Potatoes, pease, and beans.
5. Fresh vegetables.
6. Rice.
7. Hay and straw for forage.
8. Tar, pitch, resin, turpentine, and asphalt.
9. Cotton-seed oil and other products of said seed.
10. Quicksilver.
11. Mineral coal.
12. Guano and other fertilizers.
13. Lumber and timber, in the rough or prepared for building purposes.
14. Houses of wood or iron, complete or in parts.
15. Fire bricks, lime, cement, shingles, and tiles of clay or glass for roofing and construction of buildings.
16. Marble in slabs, columns, cornices, door and window frames, and fountains, and dressed or undressed marble for buildings.
17. Piping of clay, glazed or unglazed, for aqueducts and sewers.
18. Wire, plain or barbed, for fences, with hooks and staples for same.
19. Printed books, bound or unbound; printed music; maps, charts, and globes.
20. Materials for the construction and equipment of railways.
21. Materials for electrical illumination.
22. Materials expressly for the construction of wharves.
23. Anchors and hoisting tackle.
24. Railings of cast or wrought iron.
25. Balconies of cast or wrought iron.
26. Window blinds of wood or metal.
27. Iron fireplaces or stoves.
28. Machinery, including steam machinery for agriculture and mining, and separate parts of the same.
29. Gold and silver, in bullion, dust, or coin.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall enter free of duty if they are usual and proper for the purpose.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

And whereas the Government of Guatemala has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedule are the product or manufacture of the United States of America shall impose no undue restrictions on the importer and no additional charges on the articles imported; and

Whereas the Secretary of State has, by my direction, given assurance to the envoy extraordinary and minister plenipotentiary of Guatemala at Washington that this action of the Government of Guatemala in granting freedom of duties to the products and manufactures of the United States of America on their importation into Guatemala, is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act; and

Whereas the diplomatic representative of the United States of America at the city of Guatemala has been advised by the Government of Guatemala of the passage on April 30, 1892, of an act by the National Congress of that Republic approving the commercial arrangement concluded between the Governments of the two Republics and of the issue of a decree admitting, on and after the 30th day of May, 1892, the articles mentioned in the above schedule being the product or manufacture of the United States of America into the ports of Guatemala free of all duties whatsoever:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Guatemala to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of May, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the attention of the Government of Austria-Hungary was called to the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the minister plenipotentiary of Austria-Hungary at Washington has communicated to the Secretary of State the fact that, in view of the act of Congress above cited, the Government of Austria-Hungary has by due legal enactment authorized the admission, from and after May 25, 1892, into Austria-Hungary of all the articles of merchandise the product of the United States of America named in the commercial treaties which Austria-Hungary has celebrated with Germany and other nations on the terms stated in said treaties; and

Whereas the Secretary of State has, by my direction, given assurance to the minister plenipotentiary of Austria-Hungary at Washington that this action of the Government of Austria-Hungary in granting exemption of duties to the products and manufactures of the United States of America on their importation into Austria-Hungary is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Austria-Hungary to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 26th day of May, 1892, and of the Independence of the United States of America the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Oregon within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Oregon and particularly described as follows, to wit:

Beginning at the northwest corner of section six (6), township one (1) south, range six (6) east, Willamette meridian; thence easterly on the base line between townships one (1) north and one (1) south to the southwest corner of section thirty-two (32), township one (1) north, range six (6) east; thence northerly on the section line between sections thirty-one (31) and thirty-two (32) to the northwest corner of section thirty-two (32); thence easterly on the section line between sections twenty-nine (29) and thirty-two (32) to the northeast corner of section thirty-two (32); thence northerly on the section line between sections twenty-eight (28) and twenty-nine (29) to the northwest corner of section twenty-eight (28); thence easterly on the section line between sections twenty-one (21) and twenty-eight (28) to the northeast corner of section twenty-eight (28); thence northerly on the section line between sections twenty-one (21) and twenty-two (22) to the northwest corner of section twenty-two (22); thence easterly on the section line between sections fifteen (15) and twenty-two (22) and fourteen (14) and twenty-three (23) to the northeast corner of section twenty-three (23); thence northerly along the section line between sections thirteen (13) and fourteen (14) and eleven (11) and twelve (12) to the northwest corner of section twelve (12); thence easterly on the section line between sections one (1) and twelve (12) to the northeast corner of section twelve (12); thence northerly on the eastern boundary of section one (1) to the northeast corner of section one (1), all of said sections being in township one (1) north, range six (6) east; thence easterly to a point for the northeast corner of township one (1) north, range seven (7) east; thence southerly to a point for the southeast corner of section one (1), township one (1) north, range seven (7) east; thence easterly to a point for the northeast corner of section eight (8), township one (1) north, range eight (8) east; thence southerly to a point for the northeast corner of section thirty-two (32) of said township and range; thence easterly to a point for the northeast corner of section thirty-three (33) of said township and range; thence southerly to the southeast corner of section thirty-three (33) of said township and range; thence westerly along the base line to the northwest corner of section four (4), township one (1) south, range eight (8) east; thence southerly on the section line between sections four (4) and five (5) and eight (8) and nine (9) to the southeast corner of section eight (8); thence easterly along the section line between sections nine (9) and sixteen (16) to a point for the northeast corner of section sixteen (16); thence southerly along the section line between sections fifteen (15) and sixteen (16) to the southeast corner of section sixteen (16); thence easterly along the section line between

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

sections fifteen (15) and twenty-two to the northeast corner of section twenty-two (22); thence southerly between sections twenty-two (22), twenty-three (23), twenty-six (26), twenty-seven (27), thirty-four (34), and thirty-five (35) to the southeast corner of section thirty-four (34); thence easterly along the southern boundary line of sections thirty-five (35) and thirty-six (36) to the southeast corner of section thirty-six (36), all of said sections being in township one (1) south, range eight (8) east; thence southerly to a point for the southeast corner of township two (2) south, range eight (8) east; thence westerly to the southeast corner of township two (2) south, range seven (7) east; thence northerly along the eastern boundary line of sections thirty-six (36), twenty-five (25), twenty-four (24), and thirteen (13), township two (2) south, range seven (7) east, to the southeast corner of section twelve (12) of said township and range; thence westerly along the section line between sections twelve (12) and thirteen (13), eleven (11) and fourteen (14), ten (10) and fifteen (15), nine (9) and sixteen (16), eight (8) and seventeen (17), and seven (7) and eighteen (18), township two (2) south, range seven (7) east, and sections twelve (12) and thirteen (13), eleven (11) and fourteen (14), ten (10) and fifteen (15), nine (9) and sixteen (16), eight (8) and seventeen (17), and seven (7) and eighteen (18), township two (2) south, range six (6) east, to the southwest corner of section seven (7) of said township and range; thence northerly along the western boundary of section seven (7) to the northwest corner of said section, township two (2) south, range six (6) east; thence westerly on the section line between sections one (1) and twelve (12), two (2) and eleven (11), three (3) and ten (10), and four (4) and nine (9) to the southwest corner of section four (4), township two (2) south, range five (5) east; thence northerly on the section line between sections four (4) and five (5) to the northwest corner of section four (4) in said township and range; thence easterly on the township line between townships one (1) and two (2) south, range five (5) east, to the southwest corner of section thirty-five (35), township one (1) south, range five (5) east; thence northerly on the section line between sections thirty-four (34), thirty-five (35), twenty-six (26), twenty-seven (27), twenty-two (22), and twenty-three (23) to the northwest corner of section twenty-three (23) of said township and range; thence easterly on the section line between sections fourteen (14) and twenty-three (23), thirteen (13) and twenty-four (24), to the northeast corner of section twenty-four (24) of said township and range; thence northerly along the range line between ranges five (5) and six (6) east to the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 17th day of June, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Colorado within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Colorado and particularly described as follows, to wit:

Township ten (10) south of ranges sixty-eight (68), sixty-nine (69), and seventy (70) west; township nine (9) south of ranges sixty-eight (68) and sixty-nine (69) west; township eight (8) south of range sixty-nine (69) west, and so much of township ten (10) south of range seventy-one (71) west, township nine (9) south of range seventy (70) west, township eight (8) south of range seventy (70) west, and township seven (7)

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

south of range sixty-nine (69) west as lie to the eastward of the South Platte River.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 23d day of June, A. D. 1892, and of the Independence of the United States the one hundred and sixteenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

To whom it may concern:

Whereas the governor of the State of Idaho has represented to me that within said State there exist an insurrection and condition of domestic violence and resistance to the laws to meet and overcome which the resources at his command are unequal; and

Whereas he has further represented that the legislature of said State is not now in session and can not be promptly convened; and

Whereas by reason of said conditions the said governor, as chief executive of the State, has called upon me, as Chief Executive of the Government of the United States, for assistance in repressing said violence and restoring and maintaining the peace:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of section 4, Article IV, of the Constitution of the United States and of the laws of Congress enacted in pursuance thereof, do hereby command all persons engaged in said insurrection and in resistance to the laws to immediately disperse and retire peaceably to their respective abodes.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of July, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a joint resolution approved June 29, 1892, it was resolved by the Senate and House of Representatives of the United States of America in Congress assembled—

That the President of the United States be authorized and directed to issue a proclamation recommending to the people the observance in all their localities of the four hundredth anniversary of the discovery of America, on the 21st of October, 1892, by public demonstrations and by suitable exercises in their schools and other places of assembly.

Now, therefore, I, Benjamin Harrison, President of the United States of America, in pursuance of the aforesaid joint resolution, do hereby appoint Friday, October 21, 1892, the four hundredth anniversary of the discovery of America by Columbus, as a general holiday for the people of the United States. On that day let the people, so far as possible, cease from toil and devote themselves to such exercises as may best express honor to the discoverer and their appreciation of the great achievements of the four completed centuries of American life.

Columbus stood in his age as the pioneer of progress and enlightenment. The system of universal education is in our age the most prominent and salutary feature of the spirit of enlightenment, and it is peculiarly appropriate that the schools be made by the people the center of the day's demonstration. Let the national flag float over every schoolhouse in the country and the exercises be such as shall impress upon our youth the patriotic duties of American citizenship.

In the churches and in the other places of assembly of the people let there be expressions of gratitude to Divine Providence for the devout faith of the discoverer and for the divine care and guidance which has directed our history and so abundantly blessed our people.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 21st day of July, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by reason of unlawful obstructions, combinations, and assemblages of persons it has become impracticable, in my judgment, to enforce by the ordinary course of judicial proceedings the laws of the United States within the State and district of Wyoming, the United States marshal, after repeated efforts, being unable by his ordinary deputies or by any civil posse which he is able to obtain to execute the process of the United States courts:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States, do hereby command all persons engaged in such resistance to the laws and the process of the courts of the United States to cease such opposition and resistance and to disperse and retire peaceably to their respective abodes on or before Wednesday, the 3d day of August next.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 30th day of July, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by an act of Congress approved July 26, 1892, entitled "An act to enforce reciprocal commercial relations between the United States and Canada, and for other purposes," it is provided—

That with a view of securing reciprocal advantages for the citizens, ports, and vessels of the United States, on and after the 1st day of August, 1892, whenever and so often as the President shall be satisfied that the passage through any canal or lock connected with the navigation of the St. Lawrence River, the Great Lakes, or the waterways connecting the same of any vessels of the United States, or of cargoes or passengers in transit to any port of the United States, is prohibited or is made difficult or burdensome by the imposition of tolls or otherwise which, in view of the free passage through the St. Marys Falls Canal now permitted to vessels of all nations, he shall deem to be reciprocally unjust and unreasonable, he shall have the power, and it shall be his duty, to suspend, by proclamation to that effect, for such time and to such extent (including absolute prohibition) as he shall deem just, the right of free passage through the St. Marys Falls Canal so far as it relates to vessels owned by the subjects of the government so discriminating against the citizens, ports, or vessels of the United States or to any cargoes, portions of cargoes, or passengers in

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

transit to the ports of the government making such discrimination, whether carried in vessels of the United States or of other nations.

In such case and during such suspension tolls shall be levied, collected, and paid as follows, to wit: Upon freight of whatever kind or description not to exceed $2 per ton, upon passengers not to exceed $5 each, as shall be from time to time determined by the President: *Provided*, That no tolls shall be charged or collected upon freight or passengers carried to and landed at Ogdensburg, or any port west of Ogdensburg and south of a line drawn from the northern boundary of the State of New York through the St. Lawrence River, the Great Lakes, and their connecting channels to the northern boundary of the State of Minnesota.

SEC. 2. All tolls so charged shall be collected under such regulations as shall be prescribed by the Secretary of the Treasury, who may require the master of each vessel to furnish a sworn statement of the amount and kind of cargo and the number of passengers carried and the destination of the same, and such proof of the actual delivery of such cargo or passengers at some port or place within the limits above named as he shall deem satisfactory; and until such proof is furnished such freight and passengers may be considered to have been landed at some port or place outside of those limits, and the amount of tolls which would have accrued if they had been so delivered shall constitute a lien, which may be enforced against the vessel in default wherever and whenever found in the waters of the United States.

And whereas the government of the Dominion of Canada imposes a toll amounting to about 20 cents per ton on all freight passing through the Welland Canal in transit to a port of the United States, and also a further toll on all vessels of the United States and on all passengers in transit to a port of the United States, all of which tolls are without rebate; and

Whereas the government of the Dominion of Canada, in accordance with an order in council of April 4, 1892, refunds 18 cents per ton of the 20-cent toll at the Welland Canal on wheat, Indian corn, pease, barley, rye, oats, flaxseed, and buckwheat upon condition that they are originally shipped for and carried to Montreal or some port east of Montreal for export, and that if transshipped at an intermediate point such transshipment is made within the Dominion of Canada, but allows no such nor any other rebate on said products when shipped to a port of the United States or when carried to Montreal for export if transshipped within the United States; and

Whereas the government of the Dominion of Canada by said system of rebate and otherwise discriminates against the citizens of the United States in the use of said Welland Canal, in violation of the provisions of Article XXVII of the treaty of Washington concluded May 8, 1871; and

Whereas said Welland Canal is connected with the navigation of the Great Lakes, and I am satisfied that the passage through it of cargoes in transit to ports of the United States is made difficult and burdensome by said discriminating system of rebate and otherwise and is reciprocally unjust and unreasonable:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the power to that end conferred upon me by said act of Congress approved July 26, 1892, do hereby direct that from and

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

after September 1, 1892, until further notice a toll of 20 cents per ton be levied, collected, and paid on all freight of whatever kind or description passing through the St. Marys Falls Canal in transit to any port of the Dominion of Canada, whether carried in vessels of the United States or of other nations; and to that extent I do hereby suspend from and after said date the right of free passage through said St. Marys Falls Canal of any and all cargoes or portions of cargoes in transit to Canadian ports.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 18th day of August, A. D. 1892, and of the Independence of the United States of America the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a written agreement made on the 8th day of December, 1890, the Crow tribe of Indians, in the State of Montana, agreed to dispose of and sell to the United States, for certain considerations in said agreement specified, all that portion of the Crow Indian Reservation in the State of Montana lying west and south of the following lines, to wit:

Beginning in the mid-channel of the Yellowstone River at a point which is the northwest corner of section No. 36, township No. 2 north of range 27 east of the principal meridian of Montana; thence running in a southwesterly direction, following the top of the natural divide between the waters flowing into the Yellowstone and Clarks Fork rivers upon the west and those flowing into Pryor Creek and West Pryor Creek on the east, to the base of West Pryor Mountain; thence due south and up the north slope of said Pryor Mountain on a true meridian line to a point 15 miles due north from the established line between Montana and Wyoming; thence in a due easterly course on a parallel of latitude to a point where it intersects the mid-channel of the Big Horn River; thence following up the mid-channel of said river to a point where it crosses the Montana and Wyoming State line.

And whereas it is stipulated in the eleventh clause or section of said agreement that all lands upon that portion of the reservation by said agreement ceded which prior to the date thereof had been allotted in severalty to Indians of the Crow tribe shall be retained and enjoyed by them; and

Whereas it is provided in the twelfth clause or section of said agreement that, in accordance with the provisions of article 6 of the treaty of May 7, A. D. 1868, said cession of lands shall not be construed to deprive without his or her consent any individual Indian of the Crow tribe of his or her right to any tract of land selected by him or her in conformity with

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

said treaty or as provided by the agreement approved by Congress April 11, A. D. 1882; and

Whereas it is further provided in said twelfth clause or section that in ratifying said agreement the Congress of the United States shall cause all such lands to be surveyed and certificates duly issued for the same to said Indians, as provided in the treaty of May 7, 1868, before said ceded portion of the reservation shall be opened for settlement; and

Whereas by the thirteenth clause or section of said agreement of December 8, 1890, it is made a condition of said agreement that it shall not be binding upon either party until ratified by the Congress of the United States, and when so ratified that said cession of lands so acquired by the United States shall not be opened for settlement until the boundary lines set forth and described in said agreement have been surveyed and definitely marked by suitable permanent monuments, erected every half mile wherever practicable, along the entire length of said boundary line; and

Whereas said agreement was duly ratified and confirmed by the thirty-first section of the act of Congress approved March 3, 1891; and

Whereas it is provided in section 34 of said act of March 3, 1891—

That whenever any of the lands acquired by the agreement with said Crow Indians hereby ratified and confirmed shall by operation of law or the proclamation of the President of the United States be open to settlement, they shall, except mineral lands, be disposed of to actual settlers only under the provisions of the homestead laws, except section 2301 of the Revised Statutes, which shall not apply: *Provided, however*, That each settler under and in accordance with the provisions of said homestead laws shall before receiving a patent for his homestead pay to the United States for the land so taken by him, in addition to the fees provided by law, and within five years from the date of the first original entry, the sum of $1.50 for each acre thereof, one-half of which shall be paid within two years; and any person otherwise qualified who has attempted to but for any cause failed to secure a title in fee to a homestead under existing law, or who made entry under what is known as the commuted provision of the homestead law, shall be qualified to make a homestead entry upon any of said lands in conformity with the provisions of this section; that any person who may be entitled to the privilege of selecting land in severalty under the provisions of article 6 of the treaty of May 7, 1868, with the Crow Indians, and which provisions were continued in force by the agreement with said Indians ratified and confirmed by the act of Congress approved April 11, 1882, or any other act or treaty, shall have the right for a period of sixty days to make such selections in any part of the territory by said agreement ceded, and such locations are hereby confirmed: *Provided further*, That all white persons who located upon said Crow Reservation by reason of an erroneous survey of the boundary and were afterwards allowed to file upon their location in the United States land office shall have thirty days in which to renew their filings, and their locations are hereby confirmed; and that in all cases where claims were located under the mining laws of the United States, and such location was made prior to December 1, 1890, by a locator qualified therefor who believed that he or she was so locating on lands outside the Crow Indian Reservation, such locator shall be allowed thirty days within which to relocate the said mining claims so ~~theretofore~~ located by them ~~within the limits of the ceded~~ portion of said Crow Indian Reservation, and upon such relocation such proceedings shall be had as are conformable to law and in accordance with the provisions of this act.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

And whereas the boundary lines of said ceded lands have been duly surveyed and marked as stipulated in the thirteenth clause or section of said agreement; and

Whereas a written agreement was concluded with said Crow Indians on the 27th day of August, 1892, under and by virtue of the following clause in the Indian appropriation act of Congress approved July 13, 1892, to wit:

* * * To enable the Secretary of the Interior, in his discretion, to appoint a commission to negotiate with the Crow Indians of Montana for a modification of the agreement concluded with said Indians December 8, 1890, and ratified by Congress March 3, 1891, and to pay the necessary and actual expenses of said commissioners: *Provided*, That no such modification shall be valid unless assented to by a majority of the male adult members of the Crow tribe of Indians and be approved by the Secretary of the Interior.

Which said agreement was assented to by a majority of the male adult members of the Crow tribe of Indians, as attested by their signatures thereto, and has been duly approved by the Secretary of the Interior; and

Whereas it is stipulated and agreed in the first clause or section of said agreement of August 27, 1892, that the persons named in a schedule attached to and made a part of said agreement, marked "Schedule A," include all the members of said Crow tribe who are entitled to the benefits of the eleventh section of said agreement of December 8, 1890, and that each of said persons is entitled to the land therein described as his selection in full satisfaction of his claim under said section; and that the persons named in a schedule attached to and made a part of said agreement of August 27, 1892, marked "Schedule B," include all the members of said tribe who are entitled to the benefits of the twelfth section of said agreement of December 8, 1890, and of the proviso of the thirty-fourth section of the act of Congress approved March 3, 1891, extending the privilege of making selections on the ceded lands for a period of sixty days, and that each of the said persons therein named is entitled to retain the tract of land theretofore selected by him within the limits of the tract of land therein described as containing his selection of his claim under the said section (or the said proviso); and

Whereas it is stipulated and agreed by the second clause or section of said agreement of August 27, 1892, that all lands ceded by said agreement may be opened to settlement, upon the approval of the said agreement, by proclamation of the President:

Provided, That all lands within the ceded tract selected or set apart for the use of individual Indians and described in the aforesaid Schedules "A" and "B" shall be exempt from cession and shall remain a part of the Crow Indian Reservation, and shall continue under the exclusive control of the Interior Department until they shall have been surveyed and certificates or patents issued therefor as provided in the agreement of December 8, 1890, or until relinquished or surrendered by the Indian or Indians claiming the same: *Provided further*, That such lands shall be described as set forth in Schedules "A" and "B," and shall be exempted from settlement in the proclamation of the President opening the ceded lands, and that where lands so set apart are not described by legal subdivisions then the township or section or tract

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

of land within whose limits such Indians' selections are located shall not be opened to settlement until the Indian allotments therein contained shall have been surveyed and proper evidence of title issued therefor.

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by the agreements and statutes hereinbefore mentioned and by other the laws of the United States, do hereby declare and make known that all of the lands within that portion of the Crow Indian Reservation in Montana ceded to the United States by the said agreement of December 8, 1890, and hereinbefore described, except those hereinafter mentioned and described, are open to settlement under the terms of and subject to all the conditions, limitations, reservations, and restrictions contained in the thirty-fourth section of the act of Congress approved March 3, 1891, and hereinbefore quoted, and other laws applicable thereto.

The lands exempted from the operation of this proclamation, being those embraced in Schedules "A" and "B" attached to the agreement of August 27, 1892, are described as follows:

1.—Surveyed Lands.

In Township 1 North, Range 26 East.

Fractional section 24; the north half, the east half of southeast quarter, and west half of southwest quarter of fractional section 25; fractional section 26; lot 5 of fractional section 34; the north half of northeast quarter and the northeast quarter of northwest quarter of section 35; and the northeast quarter of northeast quarter of section 36.

In Township 1 North, Range 27 East.

Fractional section 7; lots 1, 2, 3, 4, 5, and 6, the southwest quarter of northeast quarter, the southeast quarter, and the south half of the southwest quarter of fractional section 8; the south half of northwest quarter of section 9; the north half of the northwest quarter and the southwest quarter of the northwest quarter of section 17; fractional section 18; the north half and the southwest quarter of section 19.

In Township 3 South, Range 24 East.

The north half of the southwest quarter of section 3; the southeast quarter of the northeast quarter and lots 2, 3, and 4 of section 4; fractional section 5; the southeast quarter and the south half of the southwest quarter of section 6; section 7; west half of section 8; the east half of the northwest quarter and the southwest quarter of the northwest quarter of section 17; lots 1, 2, 3, 4, 5, and 6, the northeast quarter of the northeast quarter, the south half of the northeast quarter, and the southeast quarter of the northwest quarter and the south half of section 18; lots 1, 3, 4, and 5 and the east half of southwest quarter, section 19; and lots 1, 2, 3, and 4 in section 30.

In Township 4 South, Range 23 East.

Lots 4, 5, 6, 7, 8, 9, and 13, the south half of northwest quarter, the southeast quarter of southeast quarter, and the northeast quarter of the southwest quarter, section 1; section 2; the north half, the southeast quarter, and the north half of southwest quarter, section 3; section 4; the east half and the southwest quarter of section 8; the north half and the southwest quarter of section 9; the east half and the southwest quarter of section 11; section 12; the north half, the south half of the southeast

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

quarter, the east half of the southwest quarter, and lots 1, 2, and 3 of section 13; the north half, the southeast quarter, and the south half of the southwest quarter of section 14; the north half of section 17; the north half, the east half of the southeast quarter, and the north half of the southwest quarter of section 18; the northwest quarter of section 19; the east half and the northwest quarter of section 20; the south half of the northwest quarter of section 22; all of section 23 except the northwest quarter of northwest quarter; section 24; lots 2 and 3 in section 25; the north half of northeast quarter, the northwest quarter, the north half of the southwest quarter, and lots 1, 2, 5, 6, 7, and 8 of section 26; the south half of the southeast quarter of section 27; the northwest quarter of section 33; the fractional east half and the southwest quarter of section 34; lots 2, 3, 4, 5, 6, 7, 9, and 10 of section 35.

IN TOWNSHIP 5 SOUTH OF RANGE 23 EAST.

Lot 5 and southwest quarter of northwest quarter of section 2; lots 1, 2, 6, 7, 8, 9, 12, and 14 and southeast quarter of southeast quarter of section 3; the fractional east half, the south half of northwest quarter, and the southwest quarter of section 4; the south half of the northeast quarter and the north half of the southeast quarter of section 7; the south half of the north half and the south half of section 8; lots 1, 2, 3, 4, 6, 7, and 8 and the west half of section 9; lots 1, 2, 3, and 4, the west half of the northeast quarter, and the south half of section 10; the northwest quarter of section 15; section 16; the east half of the northeast quarter and the south half of section 17; the northwest quarter of the northeast quarter, the southeast quarter of the southeast quarter, the west half, and lots 1, 2, 4, and 5, section 20; the southwest quarter of section 21; the west half of southwest quarter, section 26; the south half of section 27; the west half of the northeast quarter, the northwest quarter, and the south half of section 28; lots 1, 2, 3, 4, 6, and 7, the northwest quarter, the south half of the southeast quarter, and the west half of the southwest quarter of section 29; the northeast quarter of northeast quarter, the northeast quarter of the southeast quarter, and the south half of the southeast quarter of section 30; the northeast quarter, the northeast quarter of the northwest quarter, and the southeast quarter of section 31; lots 3, 4, 5, 6, 9, and 10, the southwest quarter of the southeast quarter, and the southwest quarter of section 32; lot 1, the north half of the northeast quarter, and the northwest quarter of section 33; and the west half of the northeast quarter and the northwest quarter of section 34.

2.—UNSURVEYED LANDS WHICH WHEN SURVEYED WILL BE DESCRIBED AS FOLLOWS:

IN TOWNSHIP 1 NORTH OF RANGE 15 EAST.

The southwest quarter of the northwest quarter, the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 27; the southeast quarter of the northeast quarter and the east half of the southeast quarter of section 28; the east half of the northeast quarter of section 33; the north half, the north half of the southeast quarter, and the northeast quarter of the southwest quarter of section 34; the south half of the north half and the south half of section 35; and the southwest quarter of the northwest quarter, the southeast quarter, the north half of the southwest quarter, and the southwest quarter of the southwest quarter of section 36.

IN TOWNSHIP 1 NORTH, RANGE 16 EAST.

The southwest quarter of the southwest quarter of section 31.

IN TOWNSHIP 1 SOUTH OF RANGE 15 EAST.

The north half of the north half and the southeast quarter of the northeast quarter of section 1.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

IN TOWNSHIP 1 SOUTH OF RANGE 16 EAST.

The north half of the northeast quarter and the southwest quarter of the northwest quarter of section 6, and the southeast quarter of the northeast quarter of section 24.

IN TOWNSHIP 1 SOUTH OF RANGE 18 EAST.

The southeast quarter of the southwest quarter of section 27; the northwest quarter of the southeast quarter and the south half of the southeast quarter of section 28; the north half of the northeast quarter of section 33; and the northeast quarter and the east half of the northwest quarter of section 34.

IN TOWNSHIP 1 SOUTH OF RANGE 17 EAST.

The east half of the northeast quarter, the east half of the northwest quarter, the southwest quarter of the northwest quarter, the northwest quarter of the southeast quarter, and the northeast quarter of the southwest quarter of section 19; the south half of the southeast quarter and the southeast quarter of the southwest quarter of section 28; and the north half of the northeast quarter and the northeast quarter of the northwest quarter of section 33.

IN TOWNSHIP 1 SOUTH OF RANGE 25 EAST.

The northeast quarter of the southeast quarter; the south half of the southeast quarter, and the southeast quarter of the southwest quarter of section 25, and the northeast quarter of the northwest quarter and the west half of section 36.

IN TOWNSHIP 1 SOUTH OF RANGE 26 EAST.

The south half of the southeast quarter of section 19; the southeast quarter, the northeast quarter of the southwest quarter, and the south half of the southwest quarter of section 20; the west half of the southwest quarter of section 21; the west half of the northwest quarter of section 28; the north half and the northwest quarter of the southwest quarter of section 29; the north half of the northeast quarter, the southeast quarter of the northeast quarter, the southwest quarter of the northwest quarter, the north half of the southeast quarter, and the southwest quarter of section 30.

IN TOWNSHIP 2 SOUTH OF RANGE 13 EAST.

The southwest quarter of the northwest quarter and the northwest quarter of the southwest quarter of section 27; the southeast quarter of the northeast quarter and the east half of the southeast quarter of section 28; and the east half, the east half of the northwest quarter, the northeast quarter of the southeast quarter, and the northeast quarter of the southwest quarter of section 33.

IN TOWNSHIP 2 SOUTH OF RANGE 18 EAST.

The southeast quarter and the east half of the southwest quarter of section 1

IN TOWNSHIP 2 SOUTH OF RANGE 20 EAST.

The east half, the east half of the northwest quarter, the southwest quarter of the northwest quarter, and the north half of the southwest quarter of section 28; the northeast quarter and the north half of the southeast quarter of section 29; the south half of the northeast quarter, the north half of the southeast quarter, and the southeast quarter of the southeast quarter of section 34; the south half of the north half and the south half of section 35; and the southwest quarter of the northwest quarter, the northwest quarter of the southeast quarter, the south half of the southeast quarter, and the southwest quarter of section 36.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

IN TOWNSHIP 2 SOUTH OF RANGE 21 EAST.

The west half of the northeast quarter, the northwest quarter of the southeast quarter, the east half of the west half, and the southwest quarter of the southwest quarter of section 32.

IN TOWNSHIP 2 SOUTH OF RANGE 24 EAST.

The northeast quarter of the southeast quarter and the south half of the southeast quarter of section 21; the northeast quarter, the north half of the southeast quarter, and the southwest quarter of section 22; the west half of the northwest quarter of section 27; the northeast quarter of section 28; and the northeast quarter, the southeast quarter of the northwest quarter, the north half of the southeast quarter, and the southwest quarter of section 29.

IN TOWNSHIP 3 SOUTH OF RANGE 18 EAST.

The west half of section 14; the west half of the northeast quarter and the east half of the northwest quarter of section 23; the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, the northwest quarter of the southeast quarter, and the northeast quarter of the southwest quarter of section 31; the northeast quarter, the south half of the northwest quarter, and the north half of the southwest quarter of section 32; the south half of the northeast quarter and the southeast quarter of section 33; the southwest quarter of the northeast quarter and the south half of the northwest quarter, the west half of the southeast quarter, and the southwest quarter of section 34; the south half of section 35; and the southeast quarter of the northeast quarter and the southeast quarter of section 36.

IN TOWNSHIP 3 SOUTH OF RANGE 19 EAST.

The northeast quarter, the north half of the southeast quarter, the southwest quarter of the southeast quarter, and the east half of the southwest quarter of section 12; the northwest quarter of section 29; the east half of the northeast quarter, the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, and the south half of section 30; and the southwest quarter of the northwest quarter and the west half of the southwest quarter of section 31.

IN TOWNSHIP 3 SOUTH OF RANGE 20 EAST.

The northeast quarter, the north half of the northwest quarter, the southeast quarter of the northwest quarter, and the northeast quarter of the southeast quarter of section 1; the north half of the northeast quarter and the northeast quarter of the northwest quarter of section 2; the north half of the northwest quarter, the southwest quarter of the northwest quarter, and the west half of the southwest quarter of section 5; the southeast quarter of the northeast quarter, the southeast quarter, and the southeast quarter of the southwest quarter of section 6; and the west half of the northeast quarter and the northwest quarter of section 7.

IN TOWNSHIP 3 SOUTH OF RANGE 21 EAST.

The northwest quarter of the southwest quarter and the south half of the southwest quarter of section 5; the east half of the southeast quarter and the west half of section 6; the northeast quarter of the northeast quarter of section 7; and the north half of the northwest quarter of section 8.

IN TOWNSHIP 3 SOUTH OF RANGE 23 EAST.

The southeast quarter of the northeast quarter and the east half of the southeast quarter of section 12; the east half of section 13; the southeast quarter of the southeast quarter of section 23; the southeast quarter of the northeast quarter, the east

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

half of the southeast quarter, and the southwest quarter of the southwest quarter of section 24; the east half of the east half, the west half of the northwest quarter, and the southwest quarter of section 25; the northeast quarter of the southeast quarter and the south half of the southeast quarter of section 26; the south half of the south half of section 34; the northeast quarter, the north half of the southeast quarter, the southwest quarter of the southeast quarter, and the south half of the southwest quarter of section 35; and the northwest quarter of section 36.

IN TOWNSHIP 4 SOUTH OF RANGE 18 EAST.

The northwest quarter of the northeast quarter and the north half of the northwest quarter of section 3; the north half of the northeast quarter of section 4; the southeast quarter of the southwest quarter of section 13; the west half of the northeast quarter, the east half of the northwest quarter, the southeast quarter, and the northeast quarter of the southwest quarter of section 24; the northeast quarter, the north half of the southeast quarter, the southwest quarter of the southeast quarter, and the southwest quarter of section 25; the south half of the southeast quarter of section 29; the northwest quarter of the northeast quarter and the northeast quarter of the northwest quarter of section 32; the northeast quarter of the northeast quarter, the northwest quarter, the northeast quarter of the southeast quarter, and the south half of the southeast quarter of section 35; and the west half of the northeast quarter, the northwest quarter, and the northwest quarter of the southwest quarter of section 36

IN TOWNSHIP 6 SOUTH OF RANGE 18 EAST.

The east half of the southeast quarter and the southwest quarter of the southeast quarter of section 20, and the west half of the northeast quarter, the northeast quarter of the northwest quarter, and the south half of the northwest quarter of section 29.

IN TOWNSHIP 6 SOUTH OF RANGE 19 EAST.

The northeast quarter, the east half of the northwest quarter, the southwest quarter of the northwest quarter, the north half of the southeast quarter, and the northwest quarter of the southwest quarter of section 15; the southeast quarter of the northwest quarter and the northeast quarter of the southwest quarter of section 16; the south half of the northeast quarter and the north half of the southeast quarter of section 19; and the south half of the northwest quarter and the north half of the southwest quarter of section 20.

IN TOWNSHIP 6 SOUTH OF RANGE 23 EAST.

The north half of the northwest quarter and the north half of the southeast quarter of section 5; the south half of the southeast quarter of section 8; section 17; and the west half of the northwest quarter of section 16.

3.—TOWNSHIPS, SECTIONS, OR TRACTS OF LAND WITHIN WHICH INDIAN SELECTIONS ARE LOCATED.

TRACT 1.

Beginning at a point in the mid-channel of the Yellowstone River 1½ miles below the mouth of the Clarks Fork River; thence running in a southwesterly direction along a line parallel to and 1½ miles distant from the mid-channel of the Clarks Fork River to the south line of township 2 south of range 24 east; thence west along said township line to the mid-channel of the Clarks Fork River; thence northeast along the mid-channel of the Clarks Fork River to the mid-channel of the Yellowstone River; thence northeast along the mid-channel of said river to the point of beginning.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

TRACT 2.

All that part of township 2 south of range 24 east lying south of the Yellowstone River and west of the Clarks Fork River.

TRACT 3.

Sections 29, 31, and 32, township 5 south of range 21 east; sections 5, 6, 7, 8, 17, and 18, township 6 south of range 21 east; and sections 1, 2, 11, 12, 13, and 14, township 6 south of range 20 east.

TRACT 4.

Beginning at a point in the mid-channel of the Yellowstone River opposite the mouth of Duck Creek; thence running in a southwesterly direction along the mid-channel of the Yellowstone River to a point 1½ miles below the mouth of the Clarks Fork River; thence in a southwesterly direction along a line parallel to and 1½ miles distant from the mid-channel of the said Clarks Fork River to a point 1½ miles due south of the mid-channel of the said Yellowstone River; thence running in a northeasterly direction along a line parallel to and 1½ miles distant from the mid-channel of the Yellowstone River to the mid-channel of Duck Creek; thence in a northerly direction along the mid-channel of Duck Creek to the point of beginning.

TRACT 5.

All that part of townships 2 and 3 south of range 23 lying south of the mid-channel of the Yellowstone River and north of a line running parallel thereto and 1½ miles distant therefrom.

TRACT 6.

Beginning in the mid-channel of the main or West Fork of Red Lodge Creek at the point where it intersects the line known as the line of the Blake survey, and which was formerly supposed to be the south boundary of the Crow Indian Reserve; thence running due east along the lines of said Blake survey for a distance of 1 mile; thence running northeasterly along a line parallel to and 1 mile from the mid-channel of the said West Fork of said Red Lodge Creek for a distance of 10 miles; thence due west to the mid-channel of the said West Fork of said Red Lodge Creek; thence southwesterly along the mid-channel of the said West Fork of said creek to the place of beginning.

TRACT 7.

Townships 4 south of ranges 21 and 22 east.

TRACT 8.

All that part of the east half of township 1 south of range 26 east lying south of the Yellowstone River, and all that part of the west half of township 1 south of range 27 east lying south of the Yellowstone River.

TRACT 9.

Section 14, township 3 south of range 19 east.

TRACT 10.

Beginning in the mid-channel of the main or West Fork of Red Lodge Creek at the point where it intersects the line known as the line of the Blake survey, and which was formerly supposed to be the south boundary of the Crow Indian Reserve; thence running due east along the line of said Blake survey for a distance of 1 mile; thence running northeasterly along a line parallel to and 1 mile from the mid-channel of the said West Fork of said Red Lodge Creek for a distance of 10 miles; thence due west to the mid-channel of the said West Fork of said Red Lodge Creek; thence southwesterly along the mid-channel of the said West Fork of said Red Lodge Creek to the place of beginning.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 15th day of October, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens, or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement;" and

Whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require;" and

Whereas satisfactory official assurances have been given that in Italy the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to the subjects of Italy:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, now exists and is fulfilled in respect to the subjects of Italy.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 31st day of October, 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

The gifts of God to our people during the past year have been so abundant and so special that the spirit of devout thanksgiving awaits not a call, but only the appointment of a day when it may have a common

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

expression. He has stayed the pestilence at our door; He has given us more love for the free civil institutions in the creation of which His directing providence was so conspicuous; He has awakened a deeper reverence for law; He has widened our philanthropy by a call to succor the distress in other lands; He has blessed our schools and is bringing forward a patriotic and God-fearing generation to execute His great and benevolent designs for our country; He has given us great increase in material wealth and a wide diffusion of contentment and comfort in the homes of our people; He has given His grace to the sorrowing.

Wherefore, I, Benjamin Harrison, President of the United States, do call upon all our people to observe, as we have been wont, Thursday, the 24th day of this month of November, as a day of thanksgiving to God for His mercies and of supplication for His continued care and grace.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 4th day of November, 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:
JOHN W. FOSTER,
Secretary of State.

EXECUTIVE ORDERS.

AMENDMENT OF CIVIL-SERVICE RULES.

JANUARY 20, 1892.

Special Departmental Rule No. 1 is hereby amended by adding at the end of paragraph 10 the following: "and elevator conductors;" so that as amended the paragraph will read:

In all the Departments: Bookbinders and elevator conductors.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., January 12, 1892.

The PRESIDENT.

SIR: We have the honor to recommend that Executive orders heretofore issued designating the places to be filled by noncompetitive examination under clause (*d*) of section 2 of General Rule III be amended so as to include among those places, in all the Departments where authorized by law and employed, "captains of the watch" and "lieutenants of the watch." The captains and lieutenants of the watch in the Treasury Department and the captain of the watch in the Post-Office Department are

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

now included in this category, and the object of this recommendation is to place all the Departments on the same footing with respect to these places.

The occasion for the recommendation at this time is the receipt by this Commission of a request from the Secretary of the Interior for a noncompetitive examination of a person named by him for appointment as captain of the watch in the Interior Department.

The place is now subject to competitive examination, but the Commission sees no good reason why one rule should not apply to all the Departments; hence this recommendation.

If you approve the recommendation, your indorsement of approval on this letter and its return to the Commission is requested. As it is not a change of rule, it does not require to go to the Department of State for record.

We have the honor to be, your obedient servants,

CHAS. LYMAN,
HUGH S. THOMPSON,
Commissioners.

EXECUTIVE MANSION, *January 25, 1892.*

The within recommendation is approved.

BENJ. HARRISON.

AMENDMENTS OF CIVIL-SERVICE RULES.

FEBRUARY 23, 1892.

Indian Rule VI is hereby amended by inserting after the word "appointment" the following: "from one agency to another;" so that as amended the rule will read:

Subject to the conditions stated in Rule IV, transfers may be made after absolute appointment from one agency to another, from one school to another, and from one district to another, under such regulations as the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, may prescribe.

Indian Rule IV, section 1, clause (*b*), is hereby amended by inserting after the word "averages" the following: "who have not been three times certified;" so that as amended the clause will read:

If fitness for the vacant place is tested by competitive examination, the Commission shall certify from the proper register of the district in which the vacancy exists the names of the three eligibles thereon, of the sex called for, having the highest averages, who have not been three times certified: *Provided*, That the eligibles upon any register who have been allowed preference under section 1754 of the Revised Statutes shall be certified, according to their grade, before all other eligibles thereon: *And provided further*, That if the vacancy is in the grade of matron or teacher, and the wife of the superintendent of the school in which the vacancy exists is an eligible, she may be given preference in certification if the appointing officer so requests.

Section 5 of the same rule is also hereby amended by inserting after the word "vacancy" the following: "in any agency or;" so that as amended the clause will read:

In case of the sudden occurrence of a vacancy in any agency or in any school during a school term which the public interest requires to be immediately filled the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Commissioner of Indian Affairs is authorized, in his discretion, to provide for the temporary filling of the same until a regular appointment can be made under the provisions of sections 1, 2, and 3 of this rule, and when such regular appointment is made the temporary appointment shall terminate. All temporary appointments made under this authority and their termination shall at once be reported to the Commission.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., May 5, 1892.

In the exercise of the authority vested in the President by the seventeen hundred and fifty-third section of the Revised Statutes—

It is ordered, That the office of the United States Commission of Fish and Fisheries be, and the same is hereby, classified as a part of the classified departmental service and for the purpose of applying the civil-service rules thereto the officers, clerks, and other employees of said Commission are hereby arranged in the following classes, viz:

Class A.—All persons receiving an annual salary of less than $720, or a compensation at the rate of less than $720 per annum.

Class B.—All persons receiving an annual salary of $720 or more, or a compensation at the rate of $720 or more, but less than $840 per annum.

Class C.—All persons receiving an annual salary of $840 or more, or a compensation at the rate of $840 or more, but less than $900 per annum.

Class D.—All persons receiving an annual salary of $900 or more, or a compensation at the rate of $900 or more, but less than $1,000 per annum.

Class E.—All persons receiving an annual salary of $1,000 or more, or a compensation at the rate of $1,000 or more, but less than $1,200 per annum.

Class 1.—All persons receiving an annual salary of $1,200 or more, or a compensation at the rate of $1,200 or more, but less than $1,400 per annum.

Class 2.—All persons receiving an annual salary of $1,400 or more, or a compensation at the rate of $1,400 or more, but less than $1,600 per annum.

Class 3.—All persons receiving an annual salary of $1,600 or more, or a compensation at the rate of $1,600 or more, but less than $1,800 per annum.

Class 4.—All persons receiving an annual salary of $1,800 or more, or a compensation at the rate of $1,800 or more, but less than $2,000 per annum.

Class 5.—All persons receiving an annual salary of $2,000 or more, or a compensation at the rate of $2,000 per annum.

Provided, That no person who may be appointed to an office by and with the advice and consent of the Senate, and that no person who may be employed merely as a messenger, laborer, workman, or watchman,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

shall be considered as within this classification, and no person so employed shall be assigned to the duties of a classified place.

Provided further, That no person shall be admitted to any place not excepted from examination by the civil-service rules in any of the classes above designated until he or she shall have passed an appropriate examination under the United States Civil Service Commission and his or her eligibility has been certified to by said Commission.

BENJ. HARRISON

CIVIL SERVICE.—AMENDMENT OF EXECUTIVE ORDERS.

MAY 7, 1892.

Executive orders heretofore issued declaring the places subject to noncompetitive examination under clause (*d*) of section 2 of General Rule III are hereby amended so as to include among said places the following:

In the Commission of Fish and Fisheries: Fish culturists and machinists.

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

MAY 7, 1892.

Special Departmental Rule No. 1 is hereby amended so as to include among the places excepted from examination therein the following:

In the Commission of Fish and Fisheries: Ichthyologist and editor, one scientific assistant, captains, officers, ships writers and crews on vessels of the Commission, and pilots.

BENJ. HARRISON

SEPTEMBER 16, 1892.

In order that the members of the Grand Army of the Republic employed in the public service in the city of Washington may have the opportunity of joining in the parade arranged for Tuesday, the 20th of September instant, and that all others may unite with the citizens of the District of Columbia in showing honor to the Union soldiers and sailors to be gathered in the national capital on that occasion—

It is hereby ordered, That the several Executive Departments and the Public Printing Office be closed on that day.

By the President:

BENJ. HARRISON.

AMENDMENT OF CIVIL-SERVICE RULES.

EXECUTIVE MANSION, *September 23, 1892.*

Departmental Rule X, Customs Rule VII, Postal Rule VII, and Indian Rule VII are hereby amended by inserting in the proviso of each of said

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

rules, after the word "therefrom," the words "or the widow of any such person," and after the word "he" the words "or she;" so that as amended the proviso of each of said rules will read:

Provided, That certification may be made, subject to the other conditions of this rule, for the reinstatement of any person who served in the military or naval service in the late War of the Rebellion and was honorably discharged therefrom, or the widow of any such person, without regard to the length of time he or she has been separated from the service.

BENJ. HARRISON.

FOURTH ANNUAL MESSAGE.

EXECUTIVE MANSION, *December 6, 1892.*

To the Senate and House of Representatives:

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

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

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

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

In 1880 the capital invested in manufacturing was $1,232,839,670.
In 1890 the capital invested in manufacturing was $2,900,735,884.
In 1880 the number of employees was 1,301,388.
In 1890 the number of employees was 2,251,134.
In 1880 the wages earned were $501,965,778.
In 1890 the wages earned were $1,221,170,454.
In 1880 the value of the product was $2,711,579,899.
In 1890 the value of the product was $4,860,286,837.

I am informed by the Superintendent of the Census that the omission of certain industries in 1880 which were included in 1890 accounts in part for the remarkable increase thus shown, but after making full allowance for differences of method and deducting the returns for all industries not included in the census of 1880 there remain in the reports from

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

these seventy-five cities an increase in the capital employed of $1,522,745,604, in the value of the product of $2,024,236,166, in wages earned of $677,943,929, and in the number of wage earners employed of 856,029. The wage earnings not only show an increased aggregate, but an increase per capita from $386 in 1880 to $547 in 1890, or 41.71 per cent.

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

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

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

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

During the last six months of the year 1891 and the first six months of 1892 the total production of pig iron was 9,710,819 tons, as against

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

9,202,703 tons in the year 1890, which was the largest annual production ever attained. For the same twelve months of 1891–92 the production of Bessemer ingots was 3,878,581 tons, an increase of 189,710 gross tons over the previously unprecedented yearly production of 3,688,871 gross tons in 1890. The production of Bessemer steel rails for the first six months of 1892 was 772,436 gross tons, as against 702,080 gross tons during the last six months of the year 1891.

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

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

In our coastwise trade a most encouraging development is in progress, there having been in the last four years an increase of 16 per cent. In internal commerce the statistics show that no such period of prosperity has ever before existed. The freight carried in the coastwise trade of the Great Lakes in 1890 aggregated 28,295,959 tons. On the Mississippi, Missouri, and Ohio rivers and tributaries in the same year the traffic aggregated 29,405,046 tons, and the total vessel tonnage passing through the Detroit River during that year was 21,684,000 tons. The vessel tonnage entered and cleared in the foreign trade of London during 1890 amounted to 13,480,767 tons, and of Liverpool 10,941,800 tons, a total for these two great shipping ports of 24,422,568 tons, only slightly in excess of the vessel tonnage passing through the Detroit River. And it should be said that the season for the Detroit River was but 228 days, while of course in London and Liverpool the season was for the entire year. The vessel tonnage passing through the St. Marys Canal for the fiscal year

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

1892 amounted to 9,828,874 tons, and the freight tonnage of the Detroit River is estimated for that year at 25,000,000 tons, against 23,209,619 tons in 1891. The aggregate traffic on our railroads for the year 1891 amounted to 704,398,609 tons of freight, compared with 691,344,437 tons in 1890, an increase of 13,054,172 tons.

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

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

If any are discontented with their state here, if any believe that wages or prices, the returns for honest toil, are inadequate, they should not fail to remember that there is no other country in the world where the conditions that seem to them hard would not be accepted as highly prosperous. The English agriculturist would be glad to exchange the returns of his labor for those of the American farmer and the Manchester workmen their wages for those of their fellows at Fall River.

I believe that the protective system, which has now for something more than thirty years continuously prevailed in our legislation, has been a mighty instrument for the development of our national wealth and a most powerful agency in protecting the homes of our workingmen from the invasion of want. I have felt a most solicitous interest to preserve to our working people rates of wages that would not only give daily bread,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

but supply a comfortable margin for those home attractions and family comforts and enjoyments without which life is neither hopeful nor sweet. They are American citizens—a part of the great people for whom our Constitution and Government were framed and instituted—and it can not be a perversion of that Constitution to so legislate as to preserve in their homes the comfort, independence, loyalty, and sense of interest in the Government which are essential to good citizenship in peace, and which will bring this stalwart throng, as in 1861, to the defense of the flag when it is assailed.

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

I recommend that the whole subject of tariff revision be left to the incoming Congress. It is matter of regret that this work must be delayed for at least three months, for the threat of great tariff changes introduces so much uncertainty that an amount, not easily estimated, of business inaction and of diminished production will necessarily result. It is possible also that this uncertainty may result in decreased revenues from customs duties, for our merchants will make cautious orders for foreign goods in view of the prospect of tariff reductions and the uncertainty as to when they will take effect. Those who have advocated a protective tariff can well afford to have their disastrous forecasts of a change of policy disappointed. If a system of customs duties can be framed that will set the idle wheels and looms of Europe in motion and crowd our warehouses with foreign-made goods and at the same time keep our own mills busy; that will give us an increased participation in the "markets of the world" of greater value than the home market we surrender; that will give increased work to foreign workmen upon products to be consumed by our people without diminishing the amount of work to be done here; that will enable the American manufacturer to pay to his workmen from 50 to 100 per cent more in wages than is paid

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

in the foreign mill, and yet to compete in our market and in foreign markets with the foreign producer; that will further reduce the cost of articles of wear and food without reducing the wages of those who produce them; that can be celebrated, after its effects have been realized, as its expectation has been in European as well as in American cities, the authors and promoters of it will be entitled to the highest praise. We have had in our history several experiences of the contrasted effects of a revenue and of a protective tariff, but this generation has not felt them, and the experience of one generation is not highly instructive to the next. The friends of the protective system with undiminished confidence in the principles they have advocated will await the results of the new experiment.

The strained and too often disturbed relations existing between the employees and the employers in our great manufacturing establishments have not been favorable to a calm consideration by the wage earner of the effect upon wages of the protective system. The facts that his wages were the highest paid in like callings in the world and that a maintenance of this rate of wages in the absence of protective duties upon the product of his labor was impossible were obscured by the passion evoked by these contests. He may now be able to review the question in the light of his personal experience under the operation of a tariff for revenue only. If that experience shall demonstrate that present rates of wages are thereby maintained or increased, either absolutely or in their purchasing power, and that the aggregate volume of work to be done in this country is increased or even maintained, so that there are more or as many days' work in a year, at as good or better wages, for the American workmen as has been the case under the protective system, everyone will rejoice. A general process of wage reduction can not be contemplated by any patriotic citizen without the gravest apprehension. It may be, indeed I believe is, possible for the American manufacturer to compete successfully with his foreign rival in many branches of production without the defense of protective duties if the pay rolls are equalized; but the conflict that stands between the producer and that result and the distress of our working people when it is attained are not pleasant to contemplate. The Society of the Unemployed, now holding its frequent and threatening parades in the streets of foreign cities, should not be allowed to acquire an American domicile.

The reports of the heads of the several Executive Departments, which are herewith submitted, have very naturally included a résumé of the whole work of the Administration with the transactions of the last fiscal year. The attention not only of Congress but of the country is again invited to the methods of administration which have been pursued and to the results which have been attained. Public revenues amounting to $1,414,079,292.28 have been collected and disbursed without loss from misappropriation, without a single defalcation of such importance as to

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

attract the public attention, and at a diminished per cent of cost for collection. The public business has been transacted not only with fidelity, but progressively and with a view to giving to the people in the fullest possible degree the benefits of a service established and maintained for their protection and comfort.

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

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

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

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

The domestic exports to Germany and Austria-Hungary have in-

*See pp. 141–142, 152–155, 148–152, 281–283, 249–251, 258–260, 253–258, 263–265, 279–281, 283–284.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

A treaty providing for the arbitration of the dispute between Great Britain and the United States as to the killing of seals in the Bering Sea was concluded on the 29th of February last. This treaty was accompanied by an agreement prohibiting pelagic sealing pending the arbitration, and a vigorous effort was made during this season to drive out all poaching sealers from the Bering Sea. Six naval vessels, three revenue cutters, and one vessel from the Fish Commission, all under the command of Commander Evans, of the Navy, were sent into the sea, which was systematically patrolled. Some seizures were made, and it is believed that the catch in the Bering Sea by poachers amounted to less than 500 seals. It is true, however, that in the North Pacific, while the seal herds were on their way to the passes between the Aleutian Islands, a very large number, probably 35,000, were taken. The existing statutes of the United States do not restrain our citizens from taking seals in the Pacific Ocean, and perhaps should not unless the prohibition can be extended to the citizens of other nations. I recommend that power be given to the President by proclamation to prohibit the taking of seals in the North Pacific by American vessels in case, either as the result of the findings of the Tribunal of Arbitration or otherwise, the restraints can be applied to the vessels of all countries. The case of the United States for the Tribunal of Arbitration has been prepared with great care and industry by the Hon. John W. Foster, and the counsel who represent this Government express confidence that a result substantially establishing our claims and preserving this great industry for the benefit of all nations will be attained.

During the past year a suggestion was received through the British minister that the Canadian government would like to confer as to the possibility of enlarging upon terms of mutual advantage the commercial exchanges of Canada and of the United States, and a conference was held at Washington, with Mr. Blaine acting for this Government and the British minister at this capital and three members of the Dominion cabinet acting as commissioners on the part of Great Britain. The

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

conference developed the fact that the Canadian government was only prepared to offer to the United States in exchange for the concessions asked the admission of natural products. The statement was frankly made that favored rates could not be given to the United States as against the mother country. This admission, which was foreseen, necessarily terminated the conference upon this question. The benefits of an exchange of natural products would be almost wholly with the people of Canada. Some other topics of interest were considered in the conference, and have resulted in the making of a convention for examining the Alaskan boundary and the waters of Passamaquoddy Bay adjacent to Eastport, Me., and in the initiation of an arrangement for the protection of fish life in the coterminous and neighboring waters of our northern border.

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

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

The Canadian Pacific Railway brought into the United States from China and Japan via British Columbia during the year ended June 30, 1892, 23,239,689 pounds of freight, and it carried from the United States, to be shipped to China and Japan via British Columbia, 24,068,346 pounds of freight. There were also shipped from the United States over this road from Eastern ports of the United States to our Pacific ports during the same year 13,912,073 pounds of freight, and there were received over this road at the United States Eastern ports from ports on the Pacific

* See pp. 240–242. † See pp. 290–292.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Coast 13,293,315 pounds of freight. Mr. Joseph Nimmo, jr., former chief of the Bureau of Statistics, when before the Senate Select Committee on Relations with Canada, April 26, 1890, said that "the value of goods thus transported between different points in the United States across Canadian territory probably amounts to $100,000,000 a year."

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

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

I have endeavored in every way to assure our sister Republics of Central and South America that the United States Government and its people have only the most friendly disposition toward them all. We do not covet their territory. We have no disposition to be oppressive or exacting in

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

our dealings with any of them, even the weakest. Our interests and our hopes for them all lie in the direction of stable governments by their people and of the largest development of their great commercial resources. The mutual benefits of enlarged commercial exchanges and of a more familiar and friendly intercourse between our peoples we do desire, and in this have sought their friendly cooperation.

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

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

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

The Congress has been already advised that the invitations of this Government for the assembling of an international monetary conference to consider the question of an enlarged use of silver were accepted by the nations to which they were addressed. The conference assembled at Brussels on the 22d of November, and has entered upon the consideration of this great question. I have not doubted, and have taken occasion to express that belief as well in the invitations issued for this conference as in my public messages, that the free coinage of silver upon an agreed international ratio would greatly promote the interests of our people and equally those of other nations. It is too early to predict what results may be accomplished by the conference. If any temporary check or delay

*See p. 301.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

intervenes, I believe that very soon commercial conditions will compel the now reluctant governments to unite with us in this movement to secure the enlargement of the volume of coined money needed for the transaction of the business of the world.

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

The revenues for the fiscal year ending June 30, 1892, from all sources were $425,868,260.22, and the expenditures for all purposes were $415,953,806.56, leaving a balance of $9,914,453.66. There were paid during the year upon the public debt $40,570,467.98. The surplus in the Treasury and the bank redemption fund passed by the act of July 14, 1890, to the general fund furnished in large part the cash available and used for the payments made upon the public debt. Compared with the year 1891, our receipts from customs duties fell off $42,069,241.08, while our receipts from internal revenue increased $8,284,823.13, leaving the net loss of revenue from these principal sources $33,784,417.95. The net loss of revenue from all sources was $32,675,972.81.

The revenues, estimated and actual, for the fiscal year ending June 30, 1893, are placed by the Secretary at $463,336,350.44, and the expenditures at $461,336,350.44, showing a surplus of receipts over expenditures of $2,000,000. The cash balance in the Treasury at the end of the fiscal year it is estimated will be $20,992,377.03. So far as these figures are based upon estimates of receipts and expenditures for the remaining months of the current fiscal year, there are not only the usual elements of uncertainty, but some added elements. New revenue legislation, or even the expectation of it, may seriously reduce the public revenues

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

during the period of uncertainty and during the process of business adjustment to the new conditions when they become known. But the Secretary has very wisely refrained from guessing as to the effect of possible changes in our revenue laws, since the scope of those changes and the time of their taking effect can not in any degree be forecast or foretold by him. His estimates must be based upon existing laws and upon a continuance of existing business conditions, except so far as these conditions may be affected by causes other than new legislation.

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

The public confidence in the purpose and ability of the Government to maintain the parity of all of our money issues, whether coin or paper, must remain unshaken. The demand for gold in Europe and the consequent calls upon us are in a considerable degree the result of the efforts of some of the European Governments to increase their gold reserves, and these efforts should be met by appropriate legislation on our part. The conditions that have created this drain of the Treasury gold are in an important degree political, and not commercial. In view of the fact that a general revision of our revenue laws in the near future seems to be probable, it would be better that any changes should be a part of that revision rather than of a temporary nature.

During the last fiscal year the Secretary purchased under the act of July 14, 1890, 54,355,748 ounces of silver and issued in payment therefor $51,106,608 in notes. The total purchases since the passage of the act have been 120,479,981 ounces and the aggregate of notes issued $116,783,590. The average price paid for silver during the year was 94 cents per ounce, the highest price being $1.02¾ July 1, 1891, and the lowest 83 cents March 21, 1892. In view of the fact that the monetary conference is now sitting and that no conclusion has yet been reached, I withhold any recommendation as to legislation upon this subject.

The report of the Secretary of War brings again to the attention of Congress some important suggestions as to the reorganization of the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

The aggregate of claims pending against the Government in the Court

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

For the three years ending June 30, 1892, the postal revenue amounted to $197,744,359, which was an increase of $52,263,150 over the revenue for the three years ending June 30, 1888, the increase during the last three years being more than three and a half times as great as the increase

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

during the three years ending June 30, 1888. No such increase as that shown for these three years has ever previously appeared in the revenues of the Department. The Postmaster-General has extended to the post-offices in the larger cities the merit system of promotion introduced by my direction into the Departments here, and it has resulted there, as in the Departments, in a larger volume of work and that better done.

Ever since our merchant marine was driven from the sea by the rebel cruisers during the War of the Rebellion the United States has been paying an enormous annual tribute to foreign countries in the shape of freight and passage moneys. Our grain and meats have been taken at our own docks and our large imports there laid down by foreign shipmasters. An increasing torrent of American travel to Europe has contributed a vast sum annually to the dividends of foreign shipowners. The balance of trade shown by the books of our custom-houses has been very largely reduced and in many years altogether extinguished by this constant drain. In the year 1892 only 12.3 per cent of our imports were brought in American vessels. These great foreign steamships maintained by our traffic are many of them under contracts with their respective Governments by which in time of war they will become a part of their armed naval establishments. Profiting by our commerce in peace, they will become the most formidable destroyers of our commerce in time of war. I have felt, and have before expressed the feeling, that this condition of things was both intolerable and disgraceful. A wholesome change of policy, and one having in it much promise, as it seems to me, was begun by the law of March 3, 1891. Under this law contracts have been made by the Postmaster-General for eleven mail routes. The expenditure involved by these contracts for the next fiscal year approximates $954,123.33. As one of the results already reached sixteen American steamships, of an aggregate tonnage of 57,400 tons, costing $7,400,000, have been built or contracted to be built in American shipyards.

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Boulogne, and Antwerp is also new, and is to be begun with the steamships *City of New York* and *City of Paris* in February next.

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

The development of a naval militia, which has been organized in eight States and brought into cordial and cooperative relations with the Navy, is another important achievement. There are now enlisted in these organizations 1,800 men, and they are likely to be greatly extended. I recommend such legislation and appropriations as will encourage and develop this movement. The recommendations of the Secretary will, I do not doubt, receive the friendly consideration of Congress, for he has enjoyed, as he has deserved, the confidence of all those interested in the development of our Navy, without any division upon partisan lines. I earnestly express the hope that a work which has made such noble

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

progress may not now be stayed. The wholesome influence for peace and the increased sense of security which our citizens domiciled in other lands feel when these magnificent ships under the American flag appear is already most gratefully apparent. The ships from our Navy which will appear in the great naval parade next April in the harbor of New York will be a convincing demonstration to the world that the United States is again a naval power.

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

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

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

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

The Court of Private Land Claims, established by Congress for the promotion of this policy of speedily settling contested land titles, is making satisfactory progress in its work, and when the work is completed a great

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

impetus will be given to the development of those regions where unsettled claims under Mexican grants have so long exercised their repressive influence. When to these results are added the enormous cessions of Indian lands which have been opened to settlement, aggregating during this Administration nearly 26,000,000 acres, and the agreements negotiated and now pending in Congress for ratification by which about 10,000,000 additional acres will be opened to settlement, it will be seen how much has been accomplished.

The work in the Indian Bureau in the execution of the policy of recent legislation has been largely directed to two chief purposes: First, the allotment of lands in severalty to the Indians and the cession to the United States of the surplus lands, and, secondly, to the work of educating the Indian for his own protection in his closer contact with the white man and for the intelligent exercise of his new citizenship. Allotments have been made and patents issued to 5,900 Indians under the present Secretary and Commissioner, and 7,600 additional allotments have been made for which patents are now in process of preparation. The school attendance of Indian children has been increased during that time over 13 per cent, the enrollment for 1892 being nearly 20,000. A uniform system of school text-books and of study has been adopted and the work in these national schools brought as near as may be to the basis of the free common schools of the States. These schools can be transferred and merged into the common-school systems of the States when the Indian has fully assumed his new relation to the organized civil community in which he resides and the new States are able to assume the burden. I have several times been called upon to remove Indian agents appointed by me, and have done so promptly upon every sustained complaint of unfitness or misconduct. I believe, however, that the Indian service at the agencies has been improved and is now administered on the whole with a good degree of efficiency. If any legislation is possible by which the selection of Indian agents can be wholly removed from all partisan suggestions or considerations, I am sure it would be a great relief to the Executive and a great benefit to the service. The appropriation for the subsistence of the Cheyenne and Arapahoe Indians made at the last session of Congress was inadequate. This smaller appropriation was estimated for by the Commissioner upon the theory that the large fund belonging to the tribe in the public Treasury could be and ought to be used for their support. In view, however, of the pending depredation claims against this fund and other considerations, the Secretary of the Interior on the 12th of April last submitted a supplemental estimate for $50,000. This appropriation was not made, as it should have been, and the oversight ought to be remedied at the earliest possible date.

In a special message to this Congress at the last session * I stated the reasons why I had not approved the deed for the release to the United

* See pp. 229–234.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

I desire further to call the attention of Congress to the fact that the recent agreement concluded with the Kiowas and Comanches relates to lands which were a part of the "leased district," and to which the claim of the Choctaws and Chickasaws is precisely that recognized by Congress in the legislation I have referred to. The surplus lands to which this claim would attach in the Kiowa and Comanche Reservation is 2,500,000 acres, and at the same rate the Government will be called upon to pay to the Choctaws and Chickasaws for these lands $3,125,000. This sum will be further augmented, especially if the title of the Indians to the tract now Greer County, Tex., is established. The duty devolved upon me in this connection was simply to pass upon the form of the deed; but as in my opinion the facts mentioned in my special message were not adequately brought to the attention of Congress in connection with the legislation, I have felt that I would not be justified in acting without some new expression of the legislative will.

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

The report of the Secretary of Agriculture contains not only a most interesting statement of the progressive and valuable work done under the administration of Secretary Rusk, but many suggestions for the enlarged usefulness of this important Department. In the successful efforts to break down the restrictions to the free introduction of our meat products in the countries of Europe the Secretary has been untiring from the first, stimulating and aiding all other Government officers at home and abroad whose official duties enabled them to participate in the work. The total trade in hog products with Europe in May, 1892, amounted to 82,000,000 pounds, against 46,900,000 in the same month of 1891; in June, 1892, the export aggregated 85,700,000 pounds, against 46,500,000 pounds in the same month of the previous year; in July there was an increase of 41 per cent and in August of 55 per cent over the corresponding months of 1891. Over 40,000,000 pounds of inspected pork have been exported since the law was put into operation, and a comparison of the four months of May, June, July, and August, 1892, with the same months of 1891 shows an increase in the number of pounds of our export of pork products of 62 per cent and an increase in value of 66½ per cent. The exports of dressed beef increased from 137,900,000 pounds in 1889 to 220,500,000 pounds in 1892, or about 60 per cent. During the past

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

year there have been exported 394,607 head of live cattle, as against 205,786 exported in 1889. This increased exportation has been largely promoted by the inspection authorized by law and the faithful efforts of the Secretary and his efficient subordinates to make that inspection thorough and to carefully exclude from all cargoes diseased or suspected cattle. The requirement of the English regulations that live cattle arriving from the United States must be slaughtered at the docks had its origin in the claim that pleuro-pneumonia existed among American cattle and that the existence of the disease could only certainly be determined by a *post mortem* inspection.

The Department of Agriculture has labored with great energy and faithfulness to extirpate this disease, and on the 26th day of September last a public announcement was made by the Secretary that the disease no longer existed anywhere within the United States. He is entirely satisfied after the most searching inquiry that this statement was justified, and that by a continuance of the inspection and quarantine now required of cattle brought into this country the disease can be prevented from again getting any foothold. The value to the cattle industry of the United States of this achievement can hardly be estimated. We can not, perhaps, at once insist that this evidence shall be accepted as satisfactory by other countries; but if the present exemption from the disease is maintained and the inspection of our cattle arriving at foreign ports, in which our own veterinarians participate, confirms it, we may justly expect that the requirement that our cattle shall be slaughtered at the docks will be revoked, as the sanitary restrictions upon our pork products have been. If our cattle can be taken alive to the interior, the trade will be enormously increased.

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

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

The suggestions of the Secretary for an enlargement of the work of the Department are commended to your favorable consideration. It

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

may, I think, be said without challenge that in no corresponding period has so much been done as during the last four years for the benefit of American agriculture.

The subject of quarantine regulations, inspection, and control was brought suddenly to my attention by the arrival at our ports in August last of vessels infected with cholera. Quarantine regulations should be uniform at all our ports. Under the Constitution they are plainly within the exclusive Federal jurisdiction when and so far as Congress shall legislate. In my opinion the whole subject should be taken into national control and adequate power given to the Executive to protect our people against plague invasions. On the 1st of September last I approved regulations establishing a twenty-day quarantine for all vessels bringing immigrants from foreign ports. This order will be continued in force. Some loss and suffering have resulted to passengers, but a due care for the homes of our people justifies in such cases the utmost precaution. There is danger that with the coming of spring cholera will again appear, and a liberal appropriation should be made at this session to enable our quarantine and port officers to exclude the deadly plague.

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

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

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

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

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

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

elector, without the guaranty of which the Government could never have been formed and without the continuance of which it can not continue to exist in peace and prosperity.

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

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

This exhibit of the work of the Executive Departments is submitted to Congress and to the public in the hope that there will be found in it a due sense of responsibility and an earnest purpose to maintain the national honor and to promote the happiness and prosperity of all our people, and this brief exhibit of the growth and prosperity of the country will give us a level from which to note the increase or decadence that new legislative policies may bring to us. There is no reason why the national influence, power, and prosperity should not observe the same rates of increase that have characterized the past thirty years. We carry the great impulse and increase of these years into the future. There is no reason why in many lines of production we should not surpass all other nations, as we have already done in some. There are no near frontiers to our possible development. Retrogression would be a crime.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

SPECIAL MESSAGES.

EXECUTIVE MANSION, *December 7, 1892.*

To the Senate:

In response to the resolution of the Senate of April 11, 1892, requesting information in regard to the agreement between the United States and Great Britain of 1817 concerning the naval forces to be maintained by the two Governments on the Great Lakes, I transmit herewith a report of the Secretary of State and accompanying papers, giving all the information existing in that Department in regard to the agreement in question.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 4, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 23d of December, 1892, from the Secretary of the Interior, accompanied by an agreement concluded by and between the Cherokee Commission and the Comanche, Kiowa, and Apache tribes of Indians in the Territory of Oklahoma, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 4, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication of the 23d of December, 1892, from the Secretary of the Interior, accompanied by an agreement concluded by and between the Cherokee Commission and the Pawnee tribe of Indians in the Territory of Oklahoma, for the cession of certain lands and for other purposes.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 7, 1893.

To the Senate:

In response to the resolution of the Senate of January 6, 1893, calling on the Secretary of State for information whether the provisions of Senate bill No. 3513, absolutely suspending immigration for the period of one year, are in conflict with any treaties now existing between the United States and any foreign countries, I transmit herewith a report from the Secretary of State, giving the information called for.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION,
Washington, January 11, 1893.

To the Senate:

In response to the resolutions of the Senate dated December 20, 1892, and January 5, 1893, respectively, I transmit herewith a report from the Secretary of State of the 10th instant, accompanying the reports of Mr. Walter T. Griffin, United States commercial agent at Limoges, France, and Mr. W. H. Edwards, United States consul-general at Berlin, Germany, which were called for by the aforesaid resolutions.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 13, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for your information, a letter from the Secretary of State, inclosing the annual report of the Bureau of American Republics for the year ending June 30, 1892.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 25, 1893.

To the Senate of the United States:

In response to the resolution of the Senate of the 21st instant, relating to the alleged killing of Frank B. Riley, a sailor of the United States steamship *Newark*, in Genoa, Italy, I transmit herewith a report on the subject from the Secretary of State.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 26, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, the third regular report of the World's Columbian Commission and the report of the president of the board of lady managers, with the accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION, *January 31, 1893.*

To the Senate of the United States:

In compliance with a resolution of the Senate, the House of Representatives concurring, I return herewith the bill (S. 2625) entitled "An act to provide for the punishment of offenses on the high seas."

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION, *February 2, 1893.*

To the Senate and House of Representatives:

On the 23d of July last the following resolution of the House of Representatives was communicated to me:

Resolved, That the President be requested to inform the House, if not incompatible with the public interests, what regulations are now in force concerning the transportation of imported merchandise in bond or duty paid, and products or manufactures of the United States, from one port in the United States, over Canadian territory, to another port therein, under the provisions of section 3006 of the Revised Statutes; whether further legislation thereon is necessary or advisable, and especially whether a careful inspection of such merchandise should not be had at the frontiers of the United States upon the departure and arrival of such merchandise, and whether the interests of the United States do not require that each car containing such merchandise while in Canadian territory be in the custody and under the surveillance of an inspector of the customs department, the cost of such surveillance to be paid by the foreign carrier transporting such merchandise.

The resolution is limited in its scope to the subject of the transit of merchandise from one port in the United States, through Canadian territory, to another port in the United States, under the provisions of section 3006 of the Revised Statutes; but I have concluded that a review of our treaty obligations, if any, and of our legislation upon the whole subject of the transit of goods from, to, or through Canada is desirable, and therefore address this message to the Congress.

It should be known before new legislation is proposed whether the United States is under any treaty obligations which affect this subject growing out of the provisions of Article XXIX of the treaty of Washington. That article is as follows:

It is agreed that for the term of years mentioned in Article XXXIII of this treaty goods, wares, or merchandise arriving at the ports of New York, Boston, and Portland, and any other ports in the United States which have been or may from time to time be specially designated by the President of the United States, and destined for Her Britannic Majesty's possessions in North America, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the territory of the United States, under such rules, regulations, and conditions for the protection of the revenue as the Government of the United States may from time to time prescribe; and under like rules, regulations, and conditions goods, wares, or merchandise may be conveyed in transit, without the payment of duties, from such possessions through the territory of the United States for export from the said ports of the United States.

It is further agreed that for the like period goods, wares, or merchandise arriving at any of the ports of Her Britannic Majesty's possessions in North America and destined for the United States may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the said possessions, under such rules and regulations and conditions for the protection of the revenue as the governments of the said possessions may from time to time prescribe; and under like rules, regulations, and conditions goods, wares, or merchandise may be conveyed in transit, without payment of duties, from the United States through the said possessions to other places in the United States, or for export from ports in the said possessions.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

It will be noticed that provision is here made—

First. For the transit in bond, without the payment of duties, of goods arriving at specified ports of the United States, and at others to be designated by the President, destined for Canada.

Second. For the transit from Canada to ports of the United States, without the payment of duties, of merchandise for export.

Third. For the transit of merchandise arriving at Canadian ports, destined for the United States, through Canadian territory to the United States, without the payment of duties to the Dominion government.

Fourth. For the transit of merchandise from the United States to Canadian ports for export without the payment of duties.

Fifth. For the transit of merchandise, without the payment of duties, from the United States, through Canada, to other places in the United States.

The first and second of these provisions were concessions by the United States and were made subject to "such rules, regulations, and conditions for the protection of the revenue as the Government of the United States may from time to time prescribe." The third, fourth, and fifth provisions of the articles are concessions on the part of the Dominion of Canada and are made subject to "such rules and regulations and conditions for the protection of the revenue as the governments of the said possessions may from time to time prescribe." The first and second and the third and fourth of these provisions are reciprocal in their nature. The fifth, which provides for the transit of merchandise from one point in the United States, through Canada, to another point in the United States, is not met by a reciprocal provision for the passage of Canadian goods from one point in Canada to another point in Canada through the United States. If this article of the treaty is in force, the obligations assumed by the United States should be fully and honorably observed until such time as this Government shall free itself from them by methods provided in the treaty or recognized by international law. It is, however, no part of the obligation resting upon the United States under the treaty that it will use the concessions made to it by Canada. This Government would undoubtedly meet its full duty by yielding in an ample manner the concessions made by it to Canada. There could be no just cause of complaint by Great Britain or Canada if the compensating concession to the United States should not be exercised. We have not stipulated in the treaty that we will permit merchandise to be moved through Canadian territory from one point of the United States to another at the will of the shipper. The stipulation is on the part of Canada that it will permit such merchandise to enter its territory from the United States, to pass through it, and to return to the United States without the exaction of duties and without other burdens than such as may be necessary to protect its revenues.

The questions whether we shall continue to allow merchandise to pass from one point in the United States, through Canadian territory, to

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

another point in the United States, and, if so, to what exactions and examinations it shall be subjected on reentering our territory, are wholly within the power of Congress without reference to the question whether Article XXIX is or is not in force.

The treaty of Washington embraced a number of absolutely independent subjects. Its purpose, as recited, was "to provide for an amicable settlement of all causes of difference between the two countries." It provided for four distinct arbitrations of unsettled questions, including the Alabama claims, for a temporary settlement of the questions growing out of the fisheries, and for various arrangements affecting commerce and intercourse between the United States and the British North American possessions. Some of its provisions were made terminable by methods pointed out in the treaty. Articles I to XVII, inclusive, provide for the settlement of the Alabama claims and of the claims of British subjects against the United States, and have been fully executed. Articles XVIII to XXV, inclusive, relate to the subject of the fisheries, and provide for a joint commission to determine what indemnity should be paid to Great Britain for the fishing privileges conceded. These articles have been terminated by the notice provided for in the treaty.

Article XXVI provides for the free navigation of the St. Lawrence, Yukon, Porcupine, and Stikine rivers. Article XXVII provides for the equal use of certain frontier canals and waterways, and contains no provision for termination upon notice. Article XXVIII opens Lake Michigan to the commerce of British subjects under proper regulations, and contains a provision for its abrogation, to which reference will presently be made. Article XXX provides for certain privileges of transshipment on the Lakes and northern waterways, and contains the same provision as Article XXIX as to the method by which it may be terminated. Article XXXI provides for the nonimposition of a Canadian export duty on lumber cut in certain districts in Maine and floated to the sea by the St. Johns River, and contains no limitation as to time and no provision for its abrogation. Article XXXII extended to Newfoundland in the event of proper legislation by that Province the fishery provisions of Articles XVIII to XXV, and was of course abrogated with those articles. Article XXXIII, which provides a method for the abrogation of certain articles of the treaty, I will presently quote at length. The remaining articles of the treaty, namely XXXV to XLII, provide for the arbitration of the dispute as to the Vancouver Island and De Haro Channel boundary, and have been fully executed. Articles XVIII, XIX, XXI, XXVIII, XXIX, and XXX each contains a provision limiting their life to "the term of years mentioned in Article XXXIII of this treaty." The articles between XVIII and XXX, inclusive, which do not contain this provision, are those that provide for an arbitration of the fishery question, which were of course terminable by the completion of the arbitration; Article XXVI, relating to the navigation of the St. Lawrence and

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

other rivers, and Article XXVII, relating to the use of the canals. The question whether Article XXIX is still in force depends, so far as the construction of the treaty goes, upon the meaning of the words "the term of years mentioned in Article XXXIII." That article is as follows:

> The foregoing Articles XVIII to XXV, inclusive, and Article XXX of this treaty shall take effect as soon as the laws required to carry them into operation shall have been passed by the Imperial Parliament of Great Britain, by the parliament of Canada, and by the legislature of Prince Edwards Island on the one hand and by the Congress of the United States on the other. Such assent having been given, the said articles shall remain in force for the period of ten years from the date at which they may come into operation, and, further, until the expiration of two years after either of the high contracting parties shall have given notice to the other of its wish to terminate the same; each of the high contracting parties being at liberty to give such notice to the other at the end of the said period of ten years or at any time afterwards.

The question of construction here presented is whether the reference to "the term of years mentioned in Article XXXIII" is to be construed as limiting the continuance of Article XXIX to the duration of Articles XVIII to XXV and XXX in such a way that the abrogation of those articles necessarily carried with it the other articles of the treaty which contained the reference to Article XXXIII already quoted, or whether the reference to this "term of years" in Articles XXVIII and XXIX was intended to provide a method of abrogation after ten years from the time of their taking effect, viz, a notice of two years of an intention to abrogate. The language of the treaty, considered alone, might support the conclusion that Article XXXIII was intended to provide a uniform method of abrogation for certain other articles. It will be noticed that the treaty does not expressly call for legislation to put Article XXIX into operation. Senator Edmunds, in the discussion in the Senate of the joint resolution terminating the fisheries article, took the view that no legislation was necessary. It seems to me, however, that such legislation was necessary, and Congress acted upon this view in the law of 1873, to which reference will presently be made. An examination of the discussion between the plenipotentiaries who framed the treaty furnishes this entry, which President Cleveland thought to be conclusive of the intention of the plenipotentiaries, viz:

> The transit question was discussed, and it was agreed that any settlement that might be made should include a reciprocal arrangement in that respect for the period for which the fishery articles should be in force.

On March 1, 1873, Congress passed an act entitled "An act to carry into effect the provisions of the treaty between the United States and Great Britain signed in the city of Washington the 8th day of May, 1871, relating to the fisheries." The act consisted of five sections, the first and second of which provided for carrying into effect the provisions of the treaty "relating to the fisheries." The fourth section provided for carrying into effect section 30 of the treaty. These three sections

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

furnished the legislation contemplated by Article XXXIII of the treaty to carry into effect Articles XVIII to XXV and XXX. The act, however, went further, as will be seen by an examination of section 3, which is as follows:

> That from the date of the President's proclamation authorized by the first section of this act, and so long as the Articles XVIII to XXV, inclusive, and Article XXX of said treaty shall remain in force, according to the terms and conditions of Article XXXIII of said treaty, all goods, wares, or merchandise arriving at the ports of New York, Boston, and Portland, and any other ports in the United States which have been or may from time to time be specially designated by the President of the United States, and destined for Her Britannic Majesty's possessions in North America, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, through the territory of the United States, under such rules, regulations, and conditions for the protection of the revenue as the Secretary of the Treasury may from time to time prescribe; and under like rules, regulations, and conditions goods, wares, or merchandise may be conveyed in transit, without the payment of duties, from such possessions through the territory of the United States, for export from the said ports of the United States.

It will be noticed that provision is here made for carrying into effect the two provisions of Article XXIX which I have already characterized as the concessions on the part of the United States, namely, the passage duty free from certain designated ports of the United States to Canada of imported goods, and the passage duty free to ports of the United States of Canadian goods for export. Section 3 of the law of 1873, which I have quoted, however, contains a legislative construction of Article XXIX of the treaty in the limitation that the provisions therein contained as to the transit of goods should continue in force only so long as Articles XVIII to XXV, inclusive, and XXX of the treaty should remain in force.

On March 3, 1883, Congress passed a joint resolution entitled as follows: "Joint resolution providing for the termination of articles numbered XVIII to XXV, inclusive, and article numbered XXX of the treaty between the United States of America and Her Britannic Majesty concluded at Washington May 8, 1871."

The resolution provided for the giving of notice of the abrogation of the articles of the treaty named in the title, and of no others. Section 3 contained the following provision:

> And the act of Congress approved March 1, A. D. 1873, entitled * * * so far as it relates to the articles of said treaty so to be terminated, shall be and stand repealed and be of no force on and after the time of the expiration of said two years.

An examination of the debates at the time of the passage of this joint resolution very clearly shows that Congress made an attempt to save Article XXIX of the treaty and section 3 of the act of 1873. In the Senate on the 21st of February, 1883, the resolution being under consideration, several Senators, including Mr. Edmunds, the chairman of the Judiciary Committee, expressed the opinion that Article XXIX would not be affected by the abrogation of Articles XVIII to XXV and XXX,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

and an amendment was made to the resolution with a view to leave section 3 of the act of 1873 in force. The same view was taken in the debates in the House.

The subject again came before Congress in connection with the consideration of a bill (S. 3173) to "authorize the President of the United States to protect and defend the rights of American fishing vessels, American fishermen, American trading and other vessels in certain cases, and for other purposes."

In the course of the debate upon the bill in the Senate January 24, 1887, and in the House February 23 following, the prevailing opinion was, though not without some dissent, that Article XXIX was still in force.

On the 6th of July, 1887, in response to an inquiry by the Secretary of the Treasury, Mr. Bayard wrote a letter, a copy of which accompanies this message, in which he expresses the opinion that Article XXIX of the treaty was unaffected by the abrogation of the fisheries articles and was still in force. In August, 1888, however, Mr. Cleveland, in a message to Congress, expresses his opinion of the question in the following language:

> In any event, and whether the law of 1873 construes the treaty or governs it, section 29 of such treaty, I have no doubt, terminated with the proceedings taken by our Government to terminate Articles XVIII to XXV, inclusive, and Article XXX of the treaty. * * *
>
> If by any language used in the joint resolution it was intended to relieve section 3 of the act of 1873, embodying Article XXIX of the treaty, from its own limitations, or to save the article itself, I am entirely satisfied that the intention miscarried.

I have asked the opinion of the Attorney-General upon this question, and his answer accompanies this message. He is of the opinion that Article XXIX has been abrogated.

It should be added that the United States has continuously, through the Treasury Department, conducted our trade intercourse with Canada as if Article XXIX of the treaty and section 3 of the act of 1873 remained in force, and that Canada has continued to yield in practice the concessions made by her in that article. No change in our Treasury methods was made following Mr. Cleveland's message from which I have quoted. I am inclined to think that, using the aids which the protocol and the nearly contemporaneous legislation by Congress in the act of 1873 furnish in construing the treaty, the better opinion is that Article XXIX of the treaty is no longer operative. The enactment of section 3 of the act of 1873 was a clear declaration that legislation was necessary to put Article XXIX of the treaty into operation, and that under the treaty our obligation to provide such legislation terminated whenever Articles XVIII to XXV and XXX should be abrogated. This legislation was accepted by Great Britain as a compliance with our obligations under the treaty. No objection was made that our statute treated Article XXIX as having force only so long as the other articles named were in force.

But the question whether Article XXIX is in force has less practical

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

importance than has been supposed, for it does not, if in force, place any restraints upon the United States as to the method of dealing with imported merchandise destined for the United States arriving at a Canadian port for transportation to the United States, or of merchandise passing through Canadian territory from one place in the United States to another. It would be no infraction either of the letter or of the spirit of the treaty if we should stop, unload, and carefully inspect every vehicle arriving at our border with such merchandise; nor, on the other hand, would Canada violate her obligations under the treaty by a like treatment of merchandise imported through the port of New York on its arrival in Canada. Neither Government has placed itself under any restraint as to merchandise intended for the use of its own people when such merchandise comes within its own territory. The question, therefore, as to how we shall deal with merchandise imported by our own people through a Canadian port and with merchandise passing from one place in the United States to another through Canadian territory is wholly one of domestic policy and law.

I turn now to consider the legislation of Congress upon this subject, upon which, as it seems to me, the duties of the Treasury and the rights of our people as to those phases of the transportation question to which I have just alluded wholly depend. Sections 3005 and 3006 of the Revised Statutes, which are taken from the act of July 28, 1866, entitled "An act to protect the revenue, and for other purposes" (14 U. S. Statutes at Large, p. 328), are as follows:

SEC. 3005. All merchandise arriving at the ports of New York, Boston, Portland in Maine, or any other port specially designated by the Secretary of the Treasury, and destined for places in the adjacent British Provinces, or arriving at the port of [*Point Isabel*] [Brownsville] in Texas, or any other port specially designated by the Secretary of the Treasury, and destined for places in the Republic of Mexico, may be entered at the custom-house and conveyed in transit through the territory of the United States without the payment of duties, under such regulations as the Secretary of the Treasury may prescribe.

SEC. 3006. Imported merchandise in bond, or duty paid, and products or manufactures of the United States, may, with the consent of the proper authorities of the British Provinces or Republic of Mexico, be transported from one port in the United States to another port therein, over the territory of such Provinces or Republic, by such routes and under such rules, regulations, and conditions as the Secretary of the Treasury may prescribe; and the merchandise so transported shall, upon arrival in the United States from such Provinces or Republic, be treated in regard to the liability to or exemption from duty or tax as if the transportation had taken place entirely within the limits of the United States.

Section 3102 of the Revised Statutes is also related to this subject, and is as follows:

To avoid the inspection at the first port of arrival, the owner, agent, master, or conductor of any such vessel, car, or other vehicle, or owner, agent, or other person having charge of any such merchandise, baggage, effects, or other articles, may apply to any officer of the United States duly authorized to act in the premises to seal or close the same, under and according to the regulations hereinafter authorized, previous

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

to their importation into the United States, which officer shall seal or close the same accordingly; whereupon the same may proceed to their port of destination without further inspection. Every such vessel, car, or other vehicle shall proceed without unnecessary delay to the port of its destination, as named in the manifest of its cargo, freight, or contents, and be there inspected. Nothing contained in this section shall be construed to exempt such vessel, car, or vehicle, or its contents, from such examination as may be necessary and proper to prevent frauds upon the revenue and violations of this title.

It will be noticed that section 3005 does not provide for the transit of merchandise through our territory from Canada to ports of the United States for export, nor have I been able to find any other law now in force that does provide for such transit. It would seem, therefore, that as to this concession made by the United States in Article XXIX of the treaty, legislation to put it into force was necessary, and that there is no such legislation unless section 3 of the act of 1873 was saved by the amendment to the joint resolution abrogating the fisheries articles and Article XXX, limiting the repeal to so much of said act as "relates to the articles of said treaty so to be terminated." The joint resolution certainly did not repeal section 3, and if that section has ceased to be operative it is by virtue of the limitation contained in the section itself. I think it did expire by its own express limitation.

The question has presented itself whether section 3 of the act of 1873 (U. S. Revised Statutes, sec. 2866) repealed by implication that section of the act of July, 1866, which is now section 3005 of the Revised Statutes; but I am of the opinion that the last-named section was not repealed. Section 3 of the act of 1873 was expressly intended to carry into effect a treaty obligation and was limited as to time. It contained no express repeal of the act of 1866, and while its provisions were broader than the last-named act, they were not inconsistent, save in the provision that while the act of 1873 was in force the additional ports in the United States at which Canadian goods might be received were to be designated by the President, whereas under the act of 1866 the designation was by the Secretary of the Treasury. The last-named act related also to intercourse with Mexico, and I think was unaffected by the act of 1873.

It will be seen that the law permits merchandise arriving at the ports of New York, Boston, Portland in Maine, and at other ports specially designated by the Secretary of the Treasury, for places in the adjacent British Provinces, to be entered at the custom-house of the port where it is landed and conveyed through the territory of the United States without the payment of duty, under regulations to be prescribed by the Secretary of the Treasury. As these goods come immediately and fully under the inspection of our customs officers at the principal ports, are entered there and remain until they cross our border into Canada fully under our supervision, there is little or no danger involved to our revenue. The regulations prescribed by the Treasury for conducting this traffic seem to me to be adequate.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

As to merchandise imported into the United States from a contiguous foreign country, it is provided by section 3102 that the inspection at the first port of arrival in the United States may be avoided if the vehicle in which the same arrives has been sealed or closed by some officer of the United States duly authorized at some point in the contiguous country. When the act of closing or sealing conformably to the regulations of the Treasury has been effected, the car or other vehicle may proceed without unnecessary delay to the port of its destination, as named in the manifest of its cargo, freight, or contents, and be there inspected. This privilege, however, is subject to such examination at the point of entry to the United States as may be necessary to prevent fraud. It is important to be noticed that the merchandise to which this section refers is described in section 3100 as merchandise, etc., "imported into the United States from any contiguous foreign country."

A practice has grown up, and a traffic of considerable dimensions under it, of allowing merchandise from China and Japan, purchased and imported from those countries by our own citizens and landed at ports in the Dominion of Canada, to be there loaded into cars, which, being sealed by an officer of the United States or some one supposed to represent him, are forwarded through the territory of Canada, across the entire continent, and allowed to cross our frontier without other inspection than an examination of the seals. The real fact is that the American consul can not and does not either compare the manifest with the contents of the cars or attach the seals. The agents of the transportation companies are furnished by the consul with the seals and place them upon the cars. The practice of sealing such merchandise, notwithstanding it has been allowed by the Treasury for some years, I think is unauthorized. Such merchandise is not imported from a "contiguous country," but from China and Japan.

It has never become subject to the Canadian revenue laws as an importation from Japan to Canada, but by force of the treaty or by the courtesy of that government has been treated as subject to the revenue laws of the United States from the time of landing at the Canadian port. Our Treasury seal has been placed upon it; Canada only gives it passage. It is no more an importation from Canada than is a train load of wheat that starts from Detroit and is transported through Canada to another port of the United States. Section 3102 was enacted in 1864, two years before sections 3005 and 3006, and could not have had reference to the later methods of importing merchandise through one country to the other.

The practice to which I have referred not only equalizes the advantages of Canadian seaports with our own in the importation of goods for our domestic consumption, but makes the Canadian ports favored ports of entry. The detentions under this system at the Canadian ports are less than when the merchandise is landed at a port of the United States to be forwarded in bond to another port therein. Full effect should be

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

given to section 3102 as to merchandise imported into the United States from Canada, so far as the appropriations enable the Treasury to provide the officers to do the work of closing and sealing. It will, however, be required that all this kind of work be done, and carefully done, by an officer of the United States, and that the duty shall in no case be delegated to the employees of the transportation companies. The considerations that it is quite doubtful whether a fraud committed in Canada by one of our agents upon our revenue would be punishable in our courts, and that such a fraud committed by anyone else certainly would not be, and that even if such acts are made penal by our statutes the criminal would be secure against extradition, seem to me to be conclusive against the policy of attempting to maintain such revenue agents in Canadian territory.

I come now to discuss another element of this international traffic, namely, the transportation of merchandise from one "port" in the United States to another "port" therein over the territory of Canada. This traffic is enormous in its dimensions, and very great interests have grown up in the United States in connection with it. Section 3006 authorizes this traffic, subject to "such rules, regulations, and conditions as the Secretary of the Treasury may prescribe;" but the important limitation is from "port" to "port." Section 3007 of the Revised Statutes, which exempts sealed cars from certain fees, preserves the terms of the preceding section—from "port" to "port." It seems to me that sections 3006 and 3007 contemplate the delivery of the sealed cars at a "port" of the United States, there to be examined by a revenue officer and their contents verified; but in practice the car, if the seal is found at the border to be intact, is passed to places not "ports" and is opened and unloaded by the consignee, no officer being present. The bill or manifest accompanying the merchandise and the unbroken seal on the car may furnish *prima facie* evidence that the amount and kind of merchandise named in the manifest and said to be contained in the car came from a port in the United States, but certainly it was not intended that the merchandise should go to the owner without an official ascertainment of the correspondence between the bill and the actual contents of the car.

I pass at this point any discussion of the question whether as a national policy this traffic should be promoted. It is enough to say that as the law stands it is authorized between "ports" of the United States, and that the rules, regulations, and conditions to be prescribed by the Secretary of the Treasury must not, in view of this declaration of the legislative will, be further restrictive of the traffic than may reasonably be necessary to protect the revenues of the United States. In determining whether further regulations are reasonably necessary to prevent frauds against our revenue it is not conclusive, at least, to say that frauds against the revenue under the existing system have not been discovered. The question

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

is, Are the regulations such as to provide proper safeguards against fraud, or are they such as to make fraud easy to those who have the disposition to commit it? If all cars carrying this merchandise are carefully and honestly inspected at the point of lading and are securely closed during the transit, the revenue would be secure, for the proper lading of these cars is not subject to duty. Frauds can only be perpetrated by introducing products not subject to free entry. In practice the seals and locks provided by the Treasury Department do not give security that these cars, in the long transit in which they are free from observation by officers of the revenue, may not be opened and dutiable merchandise added.

The duplication of the seals used, composed of wire and lead, is easy, and the opening of locks scarcely less so. If, however, the cars, when they arrive in the United States, either at the point where our boundary is crossed or at some other port of the United States, were subject to the inspection of a revenue officer before the delivery to the consignee or owner, the manifest could be verified. The inspection, however, is now limited to an examination of the lock or seal. The car is not weighed or opened to verify its contents. I do not think this is an adequate protection against the surreptitious introduction into the cars, while on foreign territory, of dutiable articles. It will be seen by the letter of the Secretary of the Treasury that grain the product of the United States is now largely transported in American vessels to Canadian lake ports, and after being there placed in elevators is sent east in cars sealed by agents of the Treasury.

No observation is taken of this grain until its arrival in Canada, where only the amount and grade are noted by a Treasury agent, and a like amount in grade and quantity (though it may be not the identical grain) is by such agent billed and sealed in cars for carriage to the United States. I do not find any statute authorizing this practice. Section 3006, which authorizes this interstate trade through Canada, is limited to merchandise passing from "port" to "port" of the United States, and plainly means that such merchandise shall be taken up by our revenue officers at a "port" of the United States as a starting point.

The following are the conclusions at which I have arrived:

First. That Article XXIX of the treaty of Washington has been abrogated.

Second. That even if this article were in force there is no law in force to execute it.

Third. That when in force the treaty imposed no obligation upon the United States to use the concessions as to transit made by Canada, and no limitation upon the powers of the United States in dealing with merchandise imported for the use of our citizens through Canadian ports or passing from one place in the United States to another through Canada, upon the arrival of such merchandise at our border.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Fourth. That therefore, treaty or no treaty, the question of sealing cars containing such merchandise and the treatment of such sealed cars when they cross our border is and always has been one to be settled by our laws, according to our convenience and our interests as we may see them.

Fifth. That the law authorizing the sealing of cars in Canada containing foreign merchandise imported from a contiguous country does not apply to merchandise imported by our own people from countries not contiguous and carried through Canada for delivery to such owners.

Sixth. That the law did not contemplate the passing of sealed cars to any place not a "port," nor the delivery of such cars to the owner or consignee, to be opened by him without the supervision of a revenue officer.

Seventh. That such a practice is inconsistent with the safety of the revenue.

The statutes relating to the transportation of merchandise between the United States and the British possessions should be the subject of revision. The Treasury regulations have given to these laws a construction and a scope that I do not think was contemplated by Congress. A policy adapted to the new conditions, growing in part out of the construction of the Canadian Pacific Railroad, should be declared, and the business placed upon a basis more just to our people and to our transportation companies.

If we continue the policy of supervising rates and requiring that they shall be equal and reasonable upon the railroads of the United States, we can not in fairness at the same time give these unusual facilities for competition to Canadian roads that are free to pursue the practices as to cut rates and favored rates that we condemn and punish if practiced by our own railroads.

I regret that circumstances prevented an earlier examination by me of these questions, but submit now these views in the hope that they may lead to a revision of the laws upon a safer and juster basis.

I transmit herewith the correspondence between the Secretary of the Treasury and the Attorney-General upon some phases of this question.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 6, 1893.*

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of the Interior, dated 4th instant, accompanied by an agreement concluded by and between the Turtle Mountain Indians and the commission appointed under the provisions of the Indian appropriation act of July 13, 1892, to negotiate with the Turtle Mountain band of Chippewa Indians in North Dakota for the cession and relinquishment

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

to the United States of whatever right or interest they have in and to any and all lands in said State to which they claim title, and for their removal to and settlement upon lands to be hereafter selected and determined upon by the Secretary of the Interior upon the recommendation of the proposed commissioners, subject to the approval of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 6, 1893.

To the Senate:

I transmit herewith, as desired by the resolution of the Senate of the 4th instant, a report from the Secretary of State of the 6th instant, with its accompanying correspondence, in relation to the draft of an uncompleted treaty with Hawaii made in 1854.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., February 8, 1893.

To the Senate and House of Representatives:

I transmit herewith the eighth annual report of the Commissioner of Labor. This report relates to industrial education in the United States and foreign countries.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., February 14, 1893.

To the Senate and House of Representatives:

I transmit herewith a special report of the Commissioner of Labor relating to compulsory insurance of workingmen in Germany and other countries.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 14, 1893.*

To the Senate and House of Representatives:

I transmit herewith a communication of the 13th instant from the Secretary of the Interior, transmitting copy of reports of Lieutenants Brown, Gurovits, and Suplee, United States Army, who were charged with the duty of inspecting the Navajo country, so that the Interior Department could be advised as to the practicability of restraining the Navajoes within their present reservations and of furnishing irrigation and water for their flocks, together with report of the Commissioner of Indian Affairs upon the matter with draft of an item of appropriation to carry the same into effect.

BENJ. HARRISON.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION,
Washington, February 15, 1893.

To the Senate:

I transmit herewith, with a view to its ratification, a treaty of annexation concluded on the 14th day of February, 1893, between John W. Foster, Secretary of State, who was duly empowered to act in that behalf on the part of the United States, and Lorin A. Thurston, W. R. Castle, W. C. Wilder, C. L. Carter, and Joseph Marsden, the commissioners on the part of the Government of the Hawaiian Islands. The provisional treaty, it will be observed, does not attempt to deal in detail with the questions that grow out of the annexation of the Hawaiian Islands to the United States. The commissioners representing the Hawaiian Government have consented to leave to the future and to the just and benevolent purposes of the United States the adjustment of all such questions.

I do not deem it necessary to discuss at any length the conditions which have resulted in this decisive action. It has been the policy of the Administration not only to respect but to encourage the continuance of an independent government in the Hawaiian Islands so long as it afforded suitable guaranties for the protection of life and property and maintained a stability and strength that gave adequate security against the domination of any other power. The moral support of this Government has continually manifested itself in the most friendly diplomatic relations and in many acts of courtesy to the Hawaiian rulers.

The overthrow of the monarchy was not in any way promoted by this Government, but had its origin in what seems to have been a reactionary and revolutionary policy on the part of Queen Liliuokalani, which put in serious peril not only the large and preponderating interests of the United States in the islands, but all foreign interests, and, indeed, the decent administration of civil affairs and the peace of the islands. It is quite evident that the monarchy had become effete and the Queen's Government so weak and inadequate as to be the prey of designing and unscrupulous persons. The restoration of Queen Liliuokalani to her throne is undesirable, if not impossible, and unless actively supported by the United States would be accompanied by serious disaster and the disorganization of all business interests. The influence and interest of the United States in the islands must be increased and not diminished.

Only two courses are now open—one the establishment of a protectorate by the United States, and the other annexation full and complete. I think the latter course, which has been adopted in the treaty, will be highly promotive of the best interests of the Hawaiian people, and is the only one that will adequately secure the interests of the United States. These interests are not wholly selfish. It is essential that none of the other great powers shall secure these islands. Such a possession would not consist with our safety and with the peace of the world. This view of the situation is so apparent and conclusive that no protest has been

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

heard from any government against proceedings looking to annexation. Every foreign representative at Honolulu promptly acknowledged the Provisional Government, and I think there is a general concurrence in the opinion that the deposed Queen ought not to be restored.

Prompt action upon this treaty is very desirable. If it meets the approval of the Senate, peace and good order will be secured in the islands under existing laws until such time as Congress can provide by legislation a permanent form of government for the islands. This legislation should be, and I do not doubt will be, not only just to the natives and all other residents and citizens of the islands, but should be characterized by great liberality and a high regard to the rights of all people and of all foreigners domiciled there. The correspondence which accompanies the treaty will put the Senate in possession of all the facts known to the Executive.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 16, 1893.

To the Senate:

I transmit herewith a letter from the Secretary of State of the 15th instant, covering a report, with accompanying correspondence, respecting relations between the United States and the Hawaiian Islands from September, 1820, to January, 1893.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 20, 1893.

To the Senate of the United States:

I transmit herewith a report submitted by the Acting Secretary of State in response to the resolution of the Senate of February 2 last, relating to the building of the Ozama River bridge at Santo Domingo City by American citizens.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 21, 1893.

To the Senate and House of Representatives:

I transmit herewith a communication of the Secretary of State, transmitting the official report of the American delegates to the International Monetary Conference convened at Brussels on November 22, 1892, with its accompaniments.

BENJ. HARRISON.

EXECUTIVE MANSION, *February 25, 1893.*

To the Senate of the United States:

In compliance with a resolution of the Senate, the House of Representatives concurring, I return herewith the bill (S. 3811) entitled "An

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

act to amend an act entitled 'An act to grant to the Mobile and Dauphin Island Railroad and Harbor Company the right to trestle across the shoal water between Cedar Point and Dauphin Island,' approved September 26, 1890.''

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 27, 1893.

To the Senate and House of Representatives:

I herewith transmit, for the information of Congress, a communication from the Acting Secretary of State, forwarding certain bulletins of the Bureau of the American Republics.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, D. C., March 1, 1893.

To the Senate and House of Representatives:

I transmit herewith the fifth special report of the Commissioner of Labor. The report relates to the so-called ''Gothenburg system'' of regulating the liquor traffic, the system prevailing in Norway and Sweden

BENJ. HARRISON.

VETO MESSAGE.

EXECUTIVE MANSION, *February 27, 1893.*

To the House of Representatives:

I return herewith without my approval an act (H. R. 9612) entitled ''An act to prescribe the number of district attorneys and marshals in the judicial districts of the State of Alabama.''

Under the present law there is a district attorney for the southern district of Alabama, a district attorney for the northern and middle districts, a marshal for the northern district, and a marshal for the southern and middle districts.

An examination of the records of the Attorney-General's office as to the amount of business in the courts in these districts leads me to believe that two districts would provide amply for the disposition of all public and private cases. The law creates two new officers, whose aggregate compensation may be $12,000 per annum, without, it seems to me, a justifying necessity. But the most serious objection to the legislation is that it creates at once upon the taking effect of the law the offices of district attorney and marshal for each of the three districts, and the effect, it seems to me, must be to abolish the offices as they now exist.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

No provision is made for a continued discharge of the duties of marshal and district attorney by the present incumbents. A serious question would be raised as to whether these officers were not at once legislated out of office and vacancies created. As these vacancies could not be filled immediately, the business of the courts would seriously suffer. The law should at least have contained a provision for the continued discharge of their duties by the incumbents until the new officers were appointed and qualified.

BENJ. HARRISON.

PROCLAMATIONS.

By the President of the United States of America.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

> That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas it is made to appear, by petition and otherwise, that the interests of the public and the welfare of the people of the State of Colorado will be materially benefited and subserved by the reservation of the public and forest lands hereinafter described:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by said act, do hereby set apart, reserve, and establish as a public reservation all that tract of land in the State of Colorado embraced in the following boundary and description, to wit:

Beginning at the confluence of the North Fork of the South Platte River with the South Platte River; thence up the middle of the channel of the North Fork of the South Platte River to the range line between township seven (7) south, ranges seventy-four (74) and seventy-five (75) west of the sixth (6th) principal meridian; thence northerly on said range line to the northeast corner of township seven (7) south, range seventy-five (75) west; thence westerly on the township line between townships six (6) and seven (7) south to the northwest corner of township seven (7) south, range seventy-six (76) west; thence southerly on the range line between ranges seventy-six (76) and seventy-seven (77) west to the northeast corner of section thirteen (13), township seven (7) south, range

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

seventy-seven (77) west; thence westerly on the section line between sections twelve (12) and thirteen (13) to the northwest corner of section thirteen (13) of said township and range; thence southerly on the section line between sections thirteen (13) and fourteen (14), twenty-three (23) and twenty-four (24), and twenty-five (25) and twenty-six (26) to the northeast corner of section thirty-five (35) of said township and range; thence westerly on the section line between sections twenty-six (26) and thirty-five (35) and twenty-seven (27) and thirty-four (34) to the northwest corner of section thirty-four (34) of said township and range; thence southerly on the section line between sections thirty-three (33) and thirty-four (34) of said township and range and sections three (3) and four (4), nine (9) and ten (10), and fifteen (15) and sixteen (16), township eight (8) south, range seventy-seven (77) west, to the northeast corner of section twenty-one (21) of said last-named township and range; thence westerly on the section line between sections sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) to the northwest corner of section nineteen (19) of said township and range; thence southerly on the range line between ranges seventy-seven (77) and seventy-eight (78) west to the northeast corner of section thirteen (13), township nine (9) south, range seventy-eight (78) west; thence westerly on the section line between sections twelve (12) and thirteen (13) and eleven (11) and fourteen (14) to the northwest corner of section fourteen (14) of said township and range; thence southerly on the section line between sections fourteen (14) and fifteen (15) to the southwest corner of said section fourteen (14); thence westerly on the section line between sections fifteen (15) and twenty-two (22) and sixteen (16) and twenty-one (21) to the northwest corner of section twenty-one (21) of said township and range; thence southerly on the section line between sections twenty (20) and twenty-one (21) and twenty-eight (28) and twenty-nine (29) to the southwest corner of section twenty-eight (28) of said township and range; thence easterly on the section line between sections twenty-eight (28) and thirty-three (33) to the southeast corner of said section twenty-eight (28); thence southerly on the section line between sections thirty-three (33) and thirty-four (34) of said township and range and sections three (3) and four (4), nine (9) and ten (10), and fifteen (15) and sixteen (16), township ten (10) south, range seventy-eight (78) west, to the northeast corner of section twenty-one (21) of said last-named township and range; thence westerly on the section line between sections sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) to the northwest corner of section nineteen (19) of said township and range; thence southerly on the range line between ranges seventy-eight (78) and seventy-nine (79) west to the southwest corner of township ten (10) south, range seventy-eight (78) west; thence westerly on the second (2d) correction line south to the northwest corner of section one (1), township eleven (11) south, range seventy-nine (79) west;

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

thence southerly on the section line between sections one (1) and two (2), eleven (11) and twelve (12), thirteen (13) and fourteen (14), twenty-three (23) and twenty-four (24), twenty-five (25) and twenty-six (26), and thirty-five (35) and thirty-six (36) of said township and range and sections one (1) and two (2), eleven (11) and twelve (12), and thirteen (13) and fourteen (14), township twelve (12) south, range seventy-nine (79) west, to the southwest corner of section thirteen (13) of said last-named township and range; thence easterly on the section line between sections thirteen (13) and twenty-four (24) of said township and range and sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), and fifteen (15) and twenty-two (22), township twelve (12) south, range seventy-eight (78) west, to the quarter-section corner between said sections fifteen (15) and twenty-two (22); thence southerly through the middle of sections twenty-two (22), twenty-seven (27), and thirty-four (34) to the quarter-section corner on the south boundary of section thirty-four (34) of said township and range; thence easterly on the township line between townships twelve (12) and thirteen (13) south, range seventy-eight (78) west, to the northwest corner of township thirteen (13) south, range seventy-seven (77) west; thence southerly on the range line between ranges seventy-seven (77) and seventy-eight (78) west to the southwest corner of section six (6), township thirteen (13) south, range seventy-seven (77) west; thence easterly on the section line between sections six (6) and seven (7), five (5) and eight (8), and four (4) and nine (9) to the southeast corner of section four (4) of said township and range; thence northerly on the section line between sections three (3) and four (4) of said township and range and sections thirty-three (33) and thirty-four (34), township twelve (12) south, range seventy-seven (77) west, to the northeast corner of section thirty-three (33) of said last-named township and range; thence easterly on the section line between sections twenty-seven (27) and thirty-four (34) to the southeast corner of section twenty-seven (27) of said township and range; thence northerly on the section line between sections twenty-six (26) and twenty-seven (27), twenty-two (22) and twenty-three (23), fourteen (14) and fifteen (15), ten (10) and eleven (11), and two (2) and three (3) of said township and range and sections thirty-four (34) and thirty-five (35), township eleven (11) south, range seventy-seven (77) west, to the northeast corner of section thirty-four (34) of said township and range; thence westerly on the section line between sections twenty-seven (27) and thirty-four (34) to the northwest corner of said section thirty-four (34); thence northerly on the section line between sections twenty-seven (27) and twenty-eight (28) to the northeast corner of section twenty-eight (28) of said township and range; thence westerly on the section line between sections twenty-one (21) and twenty-eight (28), twenty (20) and twenty-nine (29), and nineteen (19) and thirty (30) to the northwest corner of section thirty (30) of said township and range;

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

thence northerly on the range line between ranges seventy-seven (77) and seventy-eight (78) west to the northeast corner of township eleven (11) south, range seventy-eight (78) west; thence easterly on the second (2d) correction line south to the southeast corner of township ten (10) south, range seventy-eight (78) west; thence northerly on the range line between ranges seventy-seven (77) and seventy-eight (78) west to the southwest corner of section eighteen (18), township nine (9) south, range seventy-seven (77) west; thence easterly on the section line between sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), and fifteen (15) and twenty-two (22) to the southeast corner of section fifteen (15) of said township and range; thence northerly on the section line between sections fourteen (14) and fifteen (15) and ten (10) and eleven (11) to the southwest corner of section two (2) of said township and range; thence easterly on the section line between sections two (2) and eleven (11) and one (1) and twelve (12) to the southeast corner of section one (1) of said township and range; thence northerly on the range line between ranges seventy-six (76) and seventy-seven (77) west to the southwest corner of township eight (8) south, range seventy-six (76) west; thence easterly on the township line between townships eight (8) and nine (9) south, range seventy-six (76) west, to the southeast corner of section thirty-one (31), township eight (8) south, range seventy-six (76) west; thence northerly on the section line between sections thirty-one (31) and thirty-two (32) to the southwest corner of section twenty-nine (29) of said township and range; thence easterly on the section line between sections twenty-nine (29) and thirty-two (32) to the southeast corner of said section twenty-nine (29); thence northerly on the section line between sections twenty-eight (28) and twenty-nine (29) and twenty (20) and twenty-one (21) to the southwest corner of section sixteen (16) of said township and range; thence easterly on the section line between sections sixteen (16) and twenty-one (21) to the southeast corner of said section sixteen (16); thence northerly on the section line between sections fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4) of said township and range, and sections thirty-three (33) and thirty-four (34), township seven (7) south, range seventy-six (76) west, to the southwest corner of section twenty-seven (27) of said township and range; thence easterly on the section line between sections twenty-seven (27) and thirty-four (34), twenty-six (26) and thirty-five (35), and twenty-five (25) and thirty-six (36) of said township and range, and sections thirty (30) and thirty-one (31), twenty-nine (29) and thirty-two (32), twenty-eight (28) and thirty-three (33), and twenty-seven (27) and thirty-four (34), township seven (7) south, range seventy-five (75) west, to the northwest corner of section thirty-five (35) of said township and range; thence southerly on the section line between sections thirty-four (34) and thirty-five (35) of said township and range and sections two (2) and three (3), ten (10) and eleven (11), fourteen (14) and

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

fifteen (15), twenty-two (22) and twenty-three (23), twenty-six (26) and twenty-seven (27), and thirty-four (34) and thirty-five (35), township eight (8) south, range seventy-five (75) west, to the southwest corner of section thirty-five (35) of said township and range; thence easterly on the township line between townships eight (8) and nine (9) south, range seventy-five (75) west, to the northwest corner of township nine (9) south, range seventy-four (74) west; thence southerly on the range line between ranges seventy-four (74) and seventy-five (75) west to the southwest corner of township ten (10) south, range seventy-four (74) west; thence easterly on the second (2d) correction line south to the northwest corner of township eleven (11) south, range seventy-three (73) west; thence southerly on the range line between ranges seventy-three (73) and seventy-four (74) west to the northeast corner of section thirteen (13), township twelve (12) south, range seventy-four (74) west; thence westerly on the section line between sections twelve (12) and thirteen (13) and eleven (11) and fourteen (14) of said township and range to the quarter-section corner between said sections eleven (11) and fourteen (14); thence southerly through the middle of sections fourteen (14), twenty-three (23), and twenty-six (26) to the center of section twenty-six (26) of said township and range; thence easterly through the middle of sections twenty-six (26) and twenty-five (25) to the quarter-section corner on the range line between section twenty-five (25), township twelve (12) south, range seventy-four (74) west, and section thirty (30), township twelve (12) south, range seventy-three (73) west; thence southerly on said range line to the southwest corner of township twelve (12) south, range seventy-three (73) west; thence easterly on the township line between townships twelve (12) and thirteen (13) south to the southeast corner of township twelve (12) south, range seventy-three (73) west; thence southerly on the range line between ranges seventy-two (72) and seventy-three (73) west to the northeast corner of section twenty-four (24), township thirteen (13) south, range seventy-three (73) west; thence westerly on the section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) to the northwest corner of section nineteen (19) of said township and range; thence southerly on the range line between ranges seventy-three (73) and seventy-four (74) west to the quarter-section corner on the west boundary of section eighteen (18), township fourteen (14) south, range seventy-three (73) west; thence easterly through the middle of sections eighteen (18) and seventeen (17), sixteen (16), fifteen (15), fourteen (14), and thirteen (13), township fourteen (14) south, range seventy-three (73) west, and sections eighteen (18) and seventeen (17), township fourteen (14) south, range seventy-two (72) west, to the quarter-section corner between sections seventeen (17) and sixteen (16) of said last-named township and range; thence northerly on the section line

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

between sections sixteen (16) and seventeen (17) and eight (8) and nine (9) to the northeast corner of section eight (8) of said township and range; thence easterly on the section line between sections four (4) and nine (9), three (3) and ten (10), two (2) and eleven (11), and one (1) and twelve (12) to the southeast corner of section one (1) of said township and range; thence northerly on the range line between ranges seventy-one (71) and seventy-two (72) west to the southwest corner of township thirteen (13) south, range seventy-one (71) west; thence easterly on the township line between townships thirteen (13) and fourteen (14) south to the southeast corner of section thirty-three (33), township thirteen (13) south, range seventy-one (71) west; thence northerly on the section line between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4) of said township and range, and between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4), township twelve (12) south, range seventy-one (71) west, and between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4), township eleven (11) south, range seventy-one (71) west, to the northeast corner of section four (4) of said last-named township and range; thence easterly on the second (2d) correction line south to the southeast corner of section thirty-three (33), township ten (10) south, range seventy-one (71) west; thence northerly on the section line between sections thirty-three (33) and thirty-four (34) of said township and range to the middle of the channel of the South Platte River; thence down the middle of the channel of the said river to its confluence with the North Fork of the South Platte River, the place of beginning, to be known as the South Platte Forest Reserve.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 9th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:
JOHN W. FOSTER,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of California within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and particularly described as follows, to wit:

Beginning at the northeast corner of township three (3) north, range six (6) west of the San Bernardino meridian; thence westerly on the surveyed and unsurveyed township line between townships three (3) and four (4) north, ranges six (6) and seven (7) west, to the northeast corner of township three (3) north, range eight (8) west; thence northerly on the unsurveyed and surveyed range line between ranges seven (7) and (8) west to the northeast corner of section twenty-four (24), township four (4) north, range eight (8) west; thence westerly on the surveyed and unsurveyed section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) of said township and range to the point for the northwest corner of section nineteen (19) of said township and range; thence northerly on the unsurveyed and surveyed range line

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

between ranges eight (8) and nine (9) west to the northeast corner of township four (4) north, range nine (9) west; thence westerly on the township line between townships four (4) and five (5) north, range nine (9) west, to the southeast corner of township five (5) north, range ten (10) west; thence northerly on the range line between ranges nine (9) and ten (10) west to the northeast corner of section thirty-six (36) of said township and range; thence westerly on the section line between sections twenty-five (25) and thirty-six (36), twenty-six (26) and thirty-five (35), and twenty-seven (27) and thirty-four (34) to the southeast corner of section twenty-eight (28) of said township and range; thence northerly on the section line between sections twenty-seven (27) and twenty-eight (28) to the northeast corner of said section twenty-eight (28); thence westerly on the section line between sections twenty-one (21) and twenty-eight (28), twenty (20) and twenty-nine (29), and nineteen (19) and thirty (30) of said last-named township and range, and on the unsurveyed section line between sections twenty-four (24) and twenty-five (25), twenty-three (23) and twenty-six (26), twenty-two (22) and twenty-seven (27), twenty-one (21) and twenty-eight (28), twenty (20) and twenty-nine (29), and nineteen (19) and thirty (30), township five (5) north, range eleven (11) west, to the point for the northwest corner of section thirty (30) of said last-named township and range; thence southerly on the range line between ranges eleven (11) and twelve (12) west to the southeast corner of township five (5) north, range twelve (12) west; thence westerly on the township line between townships four (4) and five (5) north to the southwest corner of township five (5) north, range twelve (12) west; thence southerly on the range line between ranges twelve (12) and thirteen (13) west to the northeast corner of section twenty-four (24), township four (4) north, range thirteen (13) west; thence westerly on the section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19) of said township and range, and sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19), township four (4) north, range fourteen (14) west, to the northwest corner of section nineteen (19) of said last-named township and range; thence southerly on the surveyed and unsurveyed range line between ranges fourteen (14) and fifteen (15) west to the point for the southwest corner of township three (3) north, range fourteen (14) west; thence easterly on the unsurveyed township line between townships two (2) and three (3) north, range fourteen (14) west, to a point for the northwest corner of section four (4), township two (2) north, range fourteen (14) west; thence southerly on the unsurveyed section line between sections four (4) and five (5) to the point for the southwest corner of said section four (4); thence easterly on the unsurveyed

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

section line between sections four (4) and nine (9), three (3) and ten (10), two (2) and eleven (11), and one (1) and twelve (12) to a point for the southeast corner of section one (1) of said township and range; thence southerly on the range line between ranges thirteen (13) and fourteen (14) west to the southwest corner of section seven (7), township two (2) north, range thirteen (13) west; thence easterly on the surveyed and unsurveyed section line between sections seven (7) and eighteen (18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and (13) to a point for the northeast corner of section thirteen (13) of said township and range; thence southerly on the range line between ranges twelve (12) and thirteen (13) west to the southwest corner of township two (2) north, range twelve (12) west; thence easterly on the surveyed and unsurveyed township line between townships one (1) and two (2) north, range twelve (12) west, to the point for the northwest corner of section one (1), township one (1) north, range twelve (12) west; thence southerly on the unsurveyed section line between sections one (1) and two (2) to the point for the southwest corner of said section one (1); thence easterly on the unsurveyed section line between sections one (1) and twelve (12) to the point for the southeast corner of said section one (1); thence southerly on the range line between ranges eleven (11) and twelve (12) west to the southwest corner of section seven (7), township one (1) north, range eleven (11) west; thence easterly on the section line between sections seven (7) and eighteen (18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and thirteen (13) of said township and range, and sections seven (7) and eighteen (18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and thirteen (13), township one (1) north, range ten (10) west, to the southeast corner of section twelve (12) of said last-named township and range; thence southerly on the range line between ranges nine (9) and ten (10) west to the southwest corner of section eighteen (18), township one (1) north, range nine (9) west; thence easterly on the section line between sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24) of said township and range, and sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24), township one (1) north, range eight (8) west, to the southeast corner of section thirteen (13) of said last-named township and range; thence northerly on the range line between ranges seven (7) and eight (8) west to the southwest corner of section seven (7), township one (1) north, range seven (7) west; thence easterly on the section line between sections seven (7) and eighteen

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

(18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and thirteen (13) of said township and range, and on the surveyed and unsurveyed section line between sections seven (7) and eighteen (18), eight (8) and seventeen (17), nine (9) and sixteen (16), ten (10) and fifteen (15), eleven (11) and fourteen (14), and twelve (12) and thirteen (13), township one (1) north, range six (6) west, to the point for the southeast corner of section twelve (12) of said last-named township and range; thence northerly on the unsurveyed and surveyed range line between ranges five (5) and six (6) west to the northeast corner of township three (3) north, range six (6) west, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

And whereas it is provided by section 14 of said above-mentioned act that the public lands in the Territory of Alaska reserved for public purposes shall not be subject to occupation and sale; and

Whereas the public lands in the Territory of Alaska known as Afognak Island are in part covered with timber and are required for public purposes in order that salmon fisheries in the waters of the island, and salmon and other fish and sea animals, and other animals and birds, and the timber, undergrowth, grass, moss, and other growth in, on, and about said island may be protected and preserved unimpaired, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation; and

Whereas the United States Commissioner of Fish and Fisheries has selected Afognak Bay, River, and Lake, with their tributary streams and the sources thereof, and the lands including the same on said Afognak Island and within 1 mile from the shores thereof, as a reserve for the purpose of establishing fish-culture stations and the use of the United States Commission of Fish and Fisheries, the boundary lines of which include the headsprings of the tributaries above mentioned and the lands the drainage of which is into the same:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by sections 24 and 14 of the aforesaid act of Congress and by other laws of the United States, do reserve and do hereby make known and proclaim that there is hereby reserved from occupation and sale and set apart as a public reservation, including use for fish-culture stations, said Afognak Island, Alaska, and its adjacent bays and rocks and territorial waters, including among others the Sea Lion Rocks and Sea Otter Island: *Provided*, That this proclamation shall not be so construed as to deprive any *bona fide* inhabitant of said island of any valid right he may possess under the treaty for the cession of the Russian possessions in North America to the United States, concluded at Washington on the 30th day of March, 1867.

Warning is hereby expressly given to all persons not to enter upon or to occupy the tract or tracts of land or waters reserved by this proclamation, or to fish in or use any of the waters herein described or mentioned, and that all persons or corporations now occupying said island or any of said premises except under said treaty shall depart therefrom.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 24th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Colorado within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Colorado and particularly described as follows, to wit:

Beginning at the northeast corner of township seven (7) south, range ninety-three (93) west of the sixth (6th) principal meridian; thence westerly along the township line between townships six (6) and seven (7) south to the northwest corner of township seven (7) south, range ninety-three (93) west; thence southerly along the range line between ranges ninety-three (93) and ninety-four (94) west to the northwest corner of section nineteen (19), township seven (7) south, range ninety-three (93) west; thence westerly along the unsurveyed section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen (19), township seven (7) south, range ninety-four (94) west, to the northwest corner of section nineteen (19) of said township and range; thence southerly along the range line between ranges ninety-four (94) and ninety-five (95) west to the northwest corner of township eight (8) south, range ninety-four (94) west; thence westerly along the township line between townships seven (7) and eight (8) south to the northwest corner of section three (3), township eight (8) south, range ninety-five (95) west; thence southerly along the section line between sections three (3) and four (4), nine (9) and ten (10), and fifteen (15) and sixteen (16) to the northwest corner of section twenty-two (22) of said township and range; thence westerly along the section line between sections sixteen (16) and twenty-one (21), seventeen (17) and twenty (20), and eighteen (18) and nineteen

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

(19) of said township and range, and sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), and fifteen (15) and twenty-two (22), township eight (8) south, range ninety-six (96) west, to the northwest corner of section twenty-two (22) of said township and range; thence southerly along the section line between sections twenty-one (21) and twenty-two (22), twenty-seven (27) and twenty-eight (28), and thirty-three (33) and thirty-four (34) of said township and range to the northwest corner of section three (3), township nine (9) south, range ninety-six (96) west; thence westerly along the township line between townships eight (8) and nine (9) south to the northwest corner of section three (3), township nine (9) south, range ninety-seven (97) west; thence southerly along the section line between sections three (3) and four (4), nine (9) and ten (10), fifteen (15) and sixteen (16), twenty-one (21) and twenty-two (22), twenty-seven (27) and twenty-eight (28), and thirty-three (33) and thirty-four (34) to the southwest corner of section thirty-four (34) of said township and range; thence easterly along the township line between townships nine (9) and ten (10) south to the southeast corner of township nine (9) south, range ninety-six (96) west; thence northerly along the range line between ranges ninety-five (95) and ninety-six (96) west to the southeast corner of section thirteen (13), township nine (9) south, range ninety-six (96) west; thence easterly along the section line between sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24), township nine (9) south, range ninety-five (95) west, to the southeast corner of section thirteen (13) of said township and range; thence northerly along the range line between ranges ninety-four (94) and ninety-five (95) west to the southeast corner of township eight (8) south, range ninety-five (95) west; thence easterly along the township line between townships eight (8) and nine (9) south to the southwest corner of township eight (8) south, range ninety-two (92) west; thence southerly along the range line between ranges ninety-two (92) and ninety-three (93) west to the southwest corner of township ten (10) south, range ninety-two (92) west; thence westerly along the second (2d) correction line south between townships ten (10) and eleven (11) south to the northwest corner of township eleven (11) south, range ninety-six (96) west; thence southerly along the range line between ranges ninety-six (96) and ninety-seven (97) west to the northwest corner of township twelve (12) south, range ninety-six (96) west; thence westerly along the township line between townships eleven (11) and twelve (12) south to the northwest corner of fractional section two (2), fractional township twelve (12) south, fractional range ninety-eight (98) west; thence southerly along the range line between fractional range ninety-eight (98) west of the sixth (6th) principal meridian and range two (2) east of the Ute principal meridian to the southwest corner of fractional section thirty-five

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

(35), fractional township thirteen (13) south, fractional range ninety-eight (98) west of the sixth (6th) principal meridian; thence easterly along the township line between township thirteen (13) and fractional township fourteen (14) south to the southwest corner of township thirteen (13) south, range ninety-six (96) west; thence southerly along the range line between ranges ninety-six (96) and ninety-seven (97) west to the southwest corner of township fourteen (14) south, range ninety-six (96) west; thence easterly along the township line between townships fourteen (14) and fifteen (15) south to the southeast corner of section thirty-three (33), township fourteen (14) south, range ninety-five (95) west; thence northerly along the section line between sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), nine (9) and ten (10), and three (3) and four (4), townships fourteen (14) and thirteen (13) south, range ninety-five (95) west, and sections thirty-three (33) and thirty-four (34), twenty-seven (27) and twenty-eight (28), and twenty-one (21) and twenty-two (22), township twelve (12) south, range ninety-five (95) west, to the southeast corner of section sixteen (16) of said township and range; thence easterly along the section line between sections fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24), township twelve (12) south, range ninety-five (95) west, and sections eighteen (18) and nineteen (19), seventeen (17) and twenty (20), sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), and thirteen (13) and twenty-four (24), township twelve (12) south, range (94) west, to the southwest corner of section eighteen (18), township twelve (12) south, range ninety-three (93) west; thence southerly along the range line between ranges ninety-three (93) and ninety-four (94) west to the southwest corner of township twelve (12) south, range ninety-three (93) west; thence easterly along the township line between townships twelve (12) and thirteen (13) south to the southeast corner of township twelve (12) south, range ninety-two (92) west; thence northerly along the range line between ranges ninety-one (91) and ninety-two (92) west to the southeast corner of township eleven (11) south, range ninety-two (92) west; thence easterly along the township line between townships eleven (11) and twelve (12) south to the southwest corner of township eleven (11) south, range ninety (90) west; thence southerly along the range line between ranges ninety (90) and ninety-one (91) west to the southwest corner of township twelve (12) south, range ninety (90) west; thence easterly along the township line between townships twelve (12) and thirteen (13) south to the southeast corner of township twelve (12) south, range eighty-nine (89) west; thence northerly along the surveyed and unsurveyed range line between ranges eighty-eight (88) and eighty-nine (89) west to the northeast corner of township eleven (11) south, range eighty-nine (89) west; thence easterly along the second (2d) cor-

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

rection line south to the southeast corner of township ten (10) south, range eighty-nine (89) west; thence northerly along the range line between ranges eighty-eight (88) and eighty-nine (89) west to the northeast corner of township nine (9) south, range eighty-nine (89) west; thence westerly along the township line between townships eight (8) and nine (9) south to the northeast corner of township nine (9) south, range ninety (90) west; thence northerly along the range line between ranges eighty-nine (89) and ninety (90) west to the northeast corner of township eight (8) south, range ninety (90) west; thence westerly along the surveyed and unsurveyed township line between townships seven (7) and eight (8) south to the northeast corner of township eight (8) south, range ninety-three (93) west; thence northerly along the range line between ranges ninety-two (92) and ninety-three (93) west to the northeast corner of township seven (7) south, range ninety-three (93) west, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 24th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the act of Congress approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Salvador the action

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America; and

Whereas the minister for foreign affairs for the Republic of Salvador has communicated to the envoy extraordinary and minister plenipotentiary of the United States to Salvador that the Congress of Salvador has by due legal enactment authorized the executive power to conclude a definitive commercial arrangement with the United States to supersede the existing provisional arrangement; and

Whereas, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Salvador will admit free of all duty from and after December 31, 1892, into all the established ports of entry of Salvador the articles or merchandise named in the following schedule, provided that the same is the manufacture or product of the United States:

PRODUCTS AND MANUFACTURES OF THE UNITED STATES TO BE ADMITTED INTO SALVADOR FREE OF CUSTOMS DUTIES AND OF ALL CHARGES, WHETHER NATIONAL OR PROVINCIAL.

1. Cotton-seed oil.
2. Live animals.
3. Tar, vegetable and mineral.
4. Wire, barbed, and staples for fences.
5. Apparatus for distilling liquors.
6. Plows, cultivators, hoes, axes, machetes, shovels, and rakes.
7. Quicksilver.
8. Barrels, casks, and tanks of iron for water.
9. Mineral ores.
10. Boats, lighters, tackle, anchors, chains, girtlines, sails, and all other articles for vessels, to be used in the ports, lakes, and rivers of the Republic.
11. Coal, mineral.
12. Roman cement and hydraulic lime.
13. Kettles for making salt.
14. Wooden staves, barrel heads and hoops.
15. Houses of wood and iron, complete and in parts.
16. Beans, potatoes, and onions.
17. Fruits, fresh.
18. Guano and other fertilizers, natural and artificial.
19. Guys for mining purposes.
20. Hay and straw for forage.
21. Furnaces and instruments for assaying metals.
22. Scientific instruments.
23. Loadstones.
24. Bricks, fire bricks, and crucibles for melting.
25. Hops.
26. Printed books, pamphlets and newspapers, bound or unbound, maps, photographs, printed music, and paper for music.
27. Corn, rice, barley, and rye.
28. Marble, dressed, for furniture, statues, fountains, gravestones, and building purposes.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

29. Machinery of all kinds, including sewing machines, and separate or extra parts for the same.
30. Materials of all kinds for the construction and operation of railroads.
31. Materials of all kinds for the construction and operation of telegraphic and telephonic lines.
32. Materials of all kinds for lighting by electricity and gas.
33. Materials of all kinds for the construction of wharves in ports, lakes, or rivers.
34. Wood of all kinds for building, in trunks or pieces, beams, rafters, planks, boards, shingles, and flooring.
35. Molds for making sugar.
36. Models of machinery and buildings.
37. Printing materials, including presses, ink, and all other accessories.
38. Samples of merchandise the duties on which do not exceed $1.
39. Gold and silver in bars, dust, or coin.
40. Preparations of flour in biscuits, crackers, not sweetened, macaroni, vermicelli, and tallarin.
41. Plates of iron for building purposes.
42. Kettles for making sugar.
43. Sulphate of quinine.
44. Tubes of iron and all other accessories for water supply.
45. Wagons, carts, and carriages of all kinds, and separate parts for the same.

It is understood that the packages or coverings in which the articles named in the foregoing schedule are imported shall be free of duty if they are usual and proper for the purpose.

And whereas the Government of Salvador has further stipulated that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedule are the product or manufacture of the United States of America shall impose no additional charges on the importer nor undue restrictions on the articles imported; and

Whereas the envoy extraordinary and minister plenipotentiary of the United States to Salvador has informed the Government of Salvador that its action in granting freedom of duties to the products and manufactures of the United States of America on their importation into Salvador is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above-stated modifications of the tariff laws of Salvador to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 27th day of December, A. D. 1892, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,

Secretary of State.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas Congress by a statute approved March 22, 1882, and by statutes in furtherance and amendment thereof defined the crimes of bigamy, polygamy, and unlawful cohabitation in the Territories and other places within the exclusive jurisdiction of the United States and prescribed a penalty for such crimes; and

Whereas on or about the 6th day of October, 1890, the Church of the Latter-day Saints, commonly known as the Mormon Church, through its president issued a manifesto proclaiming the purpose of said church no longer to sanction the practice of polygamous marriages and calling upon all members and adherents of said church to obey the laws of the United States in reference to said subject-matter; and

Whereas it is represented that since the date of said declaration the members and adherents of said church have generally obeyed said laws and have abstained from plural marriages and polygamous cohabitation; and

Whereas by a petition dated December 19, 1891, the officials of said church, pledging the membership thereof to a faithful obedience to the laws against plural marriage and unlawful cohabitation, have applied to me to grant amnesty for past offenses against said laws, which request a very large number of influential non-Mormons residing in the Territories have also strongly urged; and

Whereas the Utah Commission in their report bearing date September 15, 1892, recommend that said petition be granted and said amnesty proclaimed, under proper conditions as to the future observance of the law, with a view to the encouragement of those now disposed to become law-abiding citizens; and

Whereas during the past two years such amnesty has been granted to individual applicants in a very large number of cases, conditioned upon the faithful observance of the laws of the United States against unlawful cohabitation, and there are now pending many more such applications:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the powers in me vested, do hereby declare and grant a full amnesty and pardon to all persons liable to the penalties of said act by reason of unlawful cohabitation under the color of polygamous or plural marriage who have since November 1, 1890, abstained from such unlawful cohabitation, but upon the express condition that they shall in the future faithfully obey the laws of the United States hereinbefore named, and not otherwise. Those who shall fail to avail themselves of the clemency hereby offered will be vigorously prosecuted.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 4th day of January, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of California within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and within the boundaries particularly described as follows, to wit:

Beginning at the northeast corner of township five (5) south, range thirty (30) east, on the first (1st) standard parallel south, Mount Diablo meridian, California; thence westerly along said first (1st) standard parallel to the northwest corner of township five (5) south, range twenty-one (21) east; thence southerly on the range line between ranges twenty (20) and twenty-one (21) east to the southwest corner of township six (6) south, range twenty-one (21) east; thence easterly on the township line between townships six (6) and seven (7) south to the southeast corner of township six (6) south, range twenty-one (21) east; thence southerly on the range line between ranges twenty-one (21) and twenty-two (22) east to the southwest corner of township seven (7) south, range twenty-two ~~(22)~~ east; thence easterly along the township line between townships seven (7) and eight (8) south to the southeast corner of township seven (7) south, range twenty-two (22) east; thence southerly along the

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

range line between ranges twenty-two (22) and twenty-three (23) east to the southwest corner of township eight (8) south, range twenty-three (23) east; thence easterly along the second (2d) standard parallel south to the northeast corner of township nine (9) south, range twenty-three (23) east; thence southerly along the unsurveyed and surveyed range line between ranges twenty-three (23) and twenty-four (24) east to the southwest corner of township nine (9) south, range twenty-four (24) east; thence easterly along the township line between townships nine (9) and ten (10) south to the southeast corner of township nine (9) south, range twenty-four (24) east; thence southerly along the range line between ranges twenty-four (24) and twenty-five (25) east to the southwest corner of township ten (10) south, range twenty-five (25) east; thence easterly along the township line between townships ten (10) and eleven (11) south to the southeast corner of township ten (10) south, range twenty-five (25) east; thence southerly along the unsurveyed and surveyed range line between ranges twenty-five (25) and twenty-six (26) east to the southwest corner of township twelve (12) south, range twenty-six (26) east; thence easterly along the third (3d) standard parallel south to the northwest corner of township thirteen (13) south, range twenty-seven (27) east; thence southerly along the range line between ranges twenty-six (26) and twenty-seven (27) east to the southwest corner of township thirteen (13) south, range twenty-seven (27) east; thence easterly along the township line between townships thirteen (13) and fourteen (14) south to the southeast corner of township thirteen (13) south, range twenty-seven (27) east; thence northerly along the boundary line of "General Grant National Park" to the northwest corner, easterly to the northeast corner, southerly to the southeast corner, and westerly to the southwest corner of said park; thence southerly along the range line between ranges twenty-seven (27) and twenty-eight (28) east to the southwest corner of township fourteen (14) south, range twenty-eight (28) east; thence easterly along the township line between townships fourteen (14) and fifteen (15) south to the southwest corner of township fourteen (14) south, range thirty-one (31) east; thence southerly along the range line between ranges thirty (30) and thirty-one (31) east to the fourth (4th) standard parallel south; thence westerly along said fourth (4th) standard parallel to the northwest corner of township seventeen (17) south, range thirty-one (31) east; thence southerly along the range line between ranges thirty (30) and thirty-one (31) east to the southwest corner of township seventeen (17) south, range thirty-one (31) east; thence easterly along the township line between townships seventeen (17) and eighteen (18) south to the southeast corner of township seventeen (17) south, range thirty-one (31) east; thence southerly along the range line between ranges thirty-one (31) and thirty-two (32) east to the southwest corner of township eighteen (18) south, range thirty-two (32) east; thence westerly along the township line between townships

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

eighteen (18) and nineteen (19) south to the northwest corner of township nineteen (19) south, range thirty (30) east; thence southerly along the range line between ranges twenty-nine (29) and thirty (30) east to the fifth (5th) standard parallel south; thence westerly along said fifth (5th) standard parallel to the northwest corner of township twenty-one (21) south, range thirty (30) east; thence southerly along the range line between ranges twenty-nine (29) and thirty (30) east to a point on said range line where it intersects the northern boundary line of the "Tule River Indian Reservation;" thence easterly and northeasterly along the northern boundary line of said reservation to the northeast corner thereof, located in the southwest quarter of section twenty-one (21), township twenty-one (21) south, range thirty-one (31) east; thence southerly along the eastern boundary of said reservation to the southeast corner thereof, located in the northwest quarter of section thirty-three (33), township twenty-two (22) south, range thirty-one (31) east; thence westerly and southwesterly along the southern boundary of said reservation to a point where it is intersected by the range line between ranges twenty-nine (29) and thirty (30) east; thence southerly along said range line to the southwest corner of township twenty-three (23) south, range thirty (30) east; thence easterly along the township line between townships twenty-three (23) and twenty-four (24) south to the southeast corner of township twenty-three (23) south, range thirty (30) east; thence southerly along the range line between ranges thirty (30) and thirty-one (31) east to the sixth (6th) standard parallel south; thence westerly along said sixth (6th) standard parallel to the northwest corner of township twenty-five (25) south, range thirty-one (31) east; thence southerly along the range line between ranges thirty (30) and thirty-one (31) east to the southwest corner of township twenty-six (26) south, range thirty-one (31) east; thence westerly along the township line between townships twenty-six (26) and twenty-seven (27) south to the northwest corner of township twenty-seven (27) south, range thirty (30) east; thence southerly along the range line between ranges twenty-nine (29) and thirty (30) east to the seventh (7th) standard parallel south; thence easterly along said seventh (7th) standard parallel to the southeast corner of township twenty-eight (28) south, range thirty-seven (37) east; thence northerly along the range line between ranges thirty-seven (37) and thirty-eight (38) east to the sixth (6th) standard parallel south; thence easterly along said sixth (6th) standard parallel to the southeast corner of township twenty-four (24) south, range thirty-seven (37) east; thence northerly along the range line between ranges thirty-seven (37) and thirty-eight (38) east to the northeast corner of township twenty-four (24) south, range thirty-seven (37) east; thence easterly along the township line between townships twenty-three (23) and twenty-four (24) south to the southeast corner of township twenty-three (23) south, range thirty-seven (37) east; thence northerly along the range line between

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

ranges thirty-seven (37) and thirty-eight (38) east to the fifth (5th) standard parallel south; thence westerly along said fifth (5th) standard parallel south to the southeast corner of section thirty-one (31), township twenty (20) south, range thirty-seven (37) east; thence northerly along the western boundary line of sections thirty-two (32), twenty-nine (29), twenty (20), seventeen (17), eight (8), and five (5) to the northwest corner of section five (5) in said township and range; thence westerly along the township line between townships nineteen (19) and twenty (20) south to the southeast corner of township nineteen (19) south, range thirty-six (36) east; thence northerly along the range line between ranges thirty-six (36) and thirty-seven (37) east to the quarter-section corner on the east line of section thirty-six (36), township nineteen (19) south, range thirty-six (36) east, westerly on a line through the centers of sections thirty-six (36) and thirty-five (35) to the center of section thirty-five (35), northerly on a line through the centers of sections thirty-five (35), twenty-six (26), twenty-three (23), and fourteen (14) to the center of section fourteen (14), easterly on a line through the center of section fourteen (14) to the quarter-section corner between said section fourteen (14) and section thirteen (13), and northerly along the section lines on the west boundary of sections thirteen (13), twelve (12), and one (1) to the northwest corner of section one (1), all of said township and range; thence northerly along the section lines on the west boundary of sections thirty-six (36) and twenty-five (25), township eighteen (18) south, range thirty-six (36) east, to the northwest corner of said section twenty-five (25), easterly along the section line between sections twenty-four (24) and twenty-five (25) to the quarter-section corner between said sections, northerly through the centers of sections twenty-four (24) and thirteen (13) to the quarter-section corner between sections thirteen (13) and twelve (12), westerly along the section line to the southwest corner of section twelve (12), and northerly along the section lines on the west boundary of sections twelve (12) and one (1) to the northwest corner of section one (1) of said township and range; thence northerly along the section line on the west boundary of section thirty-six (36), township seventeen (17) south, range thirty-six (36) east, to the quarter-section corner between sections thirty-five (35) and thirty-six (36), westerly to the center of section thirty-five (35), northerly on a line through the centers of sections thirty-five (35), twenty-six (26), twenty-three (23), fourteen (14), and eleven (11) to the quarter-section corner between sections eleven (11) and two (2), westerly along the section line to the southwest corner of section two (2), and northerly along the section line to the northwest corner of section two (2), all of said township and range; thence westerly along the surveyed and unsurveyed line of the fourth (4th) standard parallel south to the southwest corner of township sixteen (16) south, range thirty-four (34) east; thence northerly along the range line between ranges thirty-three (33) and thirty-four

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

(34) east to the northwest corner of township fifteen (15) south, range thirty-four (34) east; thence easterly along the township line between townships fourteen (14) and fifteen (15) south to the southwest corner of township fourteen (14) south, range thirty-five (35) east; thence northerly on the range line between ranges thirty-four (34) and thirty-five (35) east to the northwest corner of township fourteen (14) south, range thirty-five (35) east; thence westerly along the township line between townships thirteen (13) and fourteen (14) south to the southwest corner of section thirty-five (35), township thirteen (13) south, range thirty-four (34) east, northerly along the section line to the quarter-section corner between sections thirty-four (34) and thirty-five (35), westerly to the center of section thirty-four (34), northerly on a line through the centers of sections thirty-four (34) and twenty-seven (27) to the center of section twenty-seven (27), easterly through section twenty-seven (27) to the quarter-section corner between sections twenty-seven (27) and twenty-six (26), northerly along the section lines on the west boundary of sections twenty-six (26), twenty-three (23), fourteen (14), eleven (11), and two (2) to the northwest corner of west lot one (1) in section two (2), easterly to the southwest corner of the east lot two (2) in section two (2), and northerly to the northwest corner of the west half of east lot six (6), section two (2), all of said township and range; thence westerly along the third (3d) standard parallel south to the southwest corner of section thirty-four (34), township twelve (12) south, range thirty-four (34) east, northerly along the section line to the quarter-section corner between sections thirty-four (34) and thirty-three (33), westerly to the center of section thirty-three (33), northerly to the quarter-section corner between sections thirty-three (33) and twenty-eight (28), westerly on the section line to the southwest corner of section twenty-eight (28), northerly along the section lines on the west boundary of sections twenty-eight (28), twenty-one (21), sixteen (16), nine (9), and four (4) to the quarter-section corner between sections four (4) and five (5), westerly to the center of section five (5), and northerly to the quarter-section corner on the north boundary of said section five (5), all of said township and range; thence westerly along the township line between townships eleven (11) and twelve (12) south to the southwest corner of section thirty-two (32), township eleven (11) south, range thirty-four (34) east, northerly along the section lines on the west boundary of sections thirty-two (32), twenty-nine (29), twenty (20), seventeen (17), and eight (8) to the quarter-section corner between sections seven (7) and eight (8), westerly on a line through the center of section seven (7), township eleven (11) south, range thirty-four (34) east, and sections twelve (12) and eleven (11), township eleven (11) south, range thirty-three (33) east, to the center of said section eleven (11), and northerly on a central line through sections eleven (11) and two (2) to the quarter-section corner on the north line of section two (2), township eleven (11) south, range thirty-three

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

(33) east; thence westerly on the township line between townships ten (10) and eleven (11) south to the southwest corner of section thirty-five (35), township ten (10) south, range thirty-three (33) east, northerly to the quarter-section corner between sections thirty-five (35) and thirty-four (34), westerly to the center of section thirty-four (34), northerly on a line through the centers of sections thirty-four (34), twenty-seven (27), and twenty-two (22) to the center of section twenty-two (22), easterly to the center of section twenty-three (23), northerly through the centers of sections twenty-three (23), fourteen (14), and eleven (11) to the center of section eleven (11), easterly to the quarter-section corner between sections eleven (11) and twelve (12), northerly along the section line to the northwest corner of section twelve (12), easterly along the section line to the quarter-section corner between sections twelve (12) and one (1), northerly to the center of section one (1), easterly to the quarter-section corner on the east line of section one (1), and northerly to the northeast corner of section one (1), all of said township and range; thence westerly along the unsurveyed township line between townships ten (10) and nine (9) south to the southeast corner of township nine (9) south, range thirty-two (32) east; thence northerly along the range line between ranges thirty-two (32) and thirty-three (33) east to the northeast corner of township nine (9) south, range thirty-two (32) east; thence westerly along the second (2d) standard parallel south to the southeast corner of township eight (8) south, range thirty-one (31) east; thence northerly along the surveyed and unsurveyed range line between ranges thirty-one (31) and thirty-two (32) east to the northeast corner of township eight (8) south, range thirty-one (31) east; thence westerly along the township line between townships seven (7) and eight (8) south to the southeast corner of township seven (7) south, range thirty (30) east; thence northerly along the range line between ranges thirty (30) and thirty-one (31) east to the northeast corner of township five (5) south, range thirty (30) east, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and the rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 14th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of Washington within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of Washington and within the boundaries particularly described as follows, to wit:

Beginning at the southwest corner of township thirteen (13) north, range fifteen (15) east of the Willamette base and meridian; thence northerly along the surveyed and unsurveyed range line between ranges fourteen (14) and fifteen (15) east, subject to the proper easterly or westerly offset on the fourth (4th) standard parallel north, to the point for the northeast corner of township eighteen (18) north, range fourteen (14) east; thence westerly along the unsurveyed township line between townships eighteen (18) and nineteen (19) north to the southeast corner of township nineteen (19) north, range seven (7) east; thence southerly along the unsurveyed range line between ranges seven (7) and eight (8) east, subject to the proper easterly or westerly offsets on the township line between townships seventeen (17) and eighteen (18) north, and the fourth (4th) standard parallel north to the point for the southwest corner of township thirteen (13) north, range eight (8) east; thence easterly along the unsurveyed township line between townships twelve (12) and

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

thirteen (13) north to the southwest corner of township thirteen (13) north, range fifteen (15) east, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the Territory of Arizona within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

the Territory of Arizona and within the boundaries particularly described as follows, to wit:

Beginning at the point of intersection of the parallel of thirty-six (36) degrees thirty (30) minutes north latitude with the meridian of one-hundred and eleven (111) degrees forty-five (45) minutes of longitude west from Greenwich; thence westerly along said parallel of latitude to its intersection with the meridian of one hundred and twelve (112) degrees forty-five (45) minutes west longitude; thence southerly along said meridian of longitude to its intersection with the parallel of thirty-five (35) degrees forty-five (45) minutes north latitude; thence easterly along said parallel of latitude to its intersection with the meridian of one hundred and eleven (111) degrees forty-five (45) minutes west longitude; thence northerly along said meridian of longitude to its intersection with the parallel of thirty-six (36) degrees thirty (30) minutes north latitude, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 20th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by my proclamation of August 18, 1892,* and in pursuance of the authority conferred on me by an act of Congress approved July 26, 1892, entitled "An act to enforce the reciprocal commercial relations

* See pp. 290–292.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

between the United States and Canada, and for other purposes," I directed "that from and after September 1, 1892, until further notice a toll of 20 cents per ton be levied, collected, and paid on all freight of whatever kind or description passing through the St. Marys Falls Canal in transit to any port of the Dominion of Canada, whether carried in vessels of the United States or of other nations," and to that extent thereby suspended "from and after said date the right of free passage through said St. Marys Falls Canal of any and all cargoes or portions of cargoes in transit to Canadian ports;" and

Whereas the above order was issued in consequence of the imposition by the government of the Dominion of Canada of a discriminating toll whereby unjust and unreasonable burdens were placed, in violation of Article XXVII of the treaty of Washington, upon the carrying of passengers and cargoes through the Welland Canal in transit to ports of the United States, as is fully set forth in the said proclamation; and

Whereas by an order in council dated February 13, 1893, the Governor-General of the Dominion of Canada has directed that—

For the season of 1893 the canal tolls for the passage of the following food products, wheat, Indian corn, pease, barley, rye, oats, flaxseed, and buckwheat, for passage eastward through the Welland Canal be 10 cents per ton, and for passage westward through the St. Lawrence canals only 10 cents per ton; payment of the said toll of 10 cents per ton for passage through the Welland Canal to entitle these products to free passage through the St. Lawrence canals.

And whereas I have received satisfactory assurances that this order revokes during the season of 1893 the discriminating provisions above referred to and secures to citizens of the United States equality with British subjects as regards the use of said canals:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the said act of Congress approved July 26, 1892, do hereby declare and proclaim that from and after the date hereof and until further notice the provisions of my said proclamation of August 18, 1892,* are suspended in so far as they direct that a toll of 20 cents per ton be levied, collected, and paid on all freight of whatever kind or description passing through the St. Marys Falls Canal in transit to any port of the Dominion of Canada, whether carried in vessels of the United States or of other nations.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 21st day of February, 1893, and of the Independence of the United States of America the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.

* See pp. 290–292.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

By the President of the United States of America.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of California within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States, by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and within the boundaries particularly described as follows, to wit:

Beginning at the northeast corner of section thirteen (13), township five (5) south, range six (6) west, of the San Bernardino base and meridian; thence westerly along the surveyed and unsurveyed section line to the point for the southwest corner of section ten (10), said township and range; thence northerly along the surveyed and unsurveyed section line to the northwest corner of section three (3), said township and range; thence westerly along the surveyed and unsurveyed township line to the point for the northwest corner of section three (3), township five (5) south, range seven (7) west; thence southerly along the surveyed and unsurveyed section line to the southeast corner of section thirty-three (33), said township and range; thence easterly along the surveyed and unsurveyed township line to the northeast corner of township six (6) south, range seven (7) west; thence southerly to the southwest corner of township five (5) south, range six (6) west; thence easterly to the point for the quarter-section corner on the north line of section six (6), township six (6) south, range six (6) west; thence southerly on a central line to the center of section nineteen (19), said township and range; thence easterly to the quarter-section corner on the east boundary of said section nineteen (19); thence southerly on the section line to the point of intersection with the north boundary of the "Rancho Mission Viejo or La Paz;" thence in a southeasterly direction along said boundary line to the point of intersection with the township line between townships six (6) and seven (7) south; thence easterly

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

along said township line to the southeast corner of township six (6) south, range six (6) west; thence northerly along the range line between ranges five (5) and six (6) west to the northeast corner of section thirteen (13), township five (5) south, range six (6) west, the place of beginning.

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 25th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it is provided by section 24 of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes"—

That the President of the United States may from time to time set apart and reserve in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations; and the President shall by public proclamation declare the establishment of such reservations and the limits thereof.

And whereas the public lands in the State of California within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation:

Now, therefore, I, Benjamin Harrison, President of the United States,

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

by virtue of the power in me vested by section 24 of the aforesaid act of Congress, do hereby make known and proclaim that there is hereby reserved from entry or settlement and set apart as a public reservation all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and within the boundaries particularly described as follows, to wit:

Beginning at the northwest corner of township three (3) north, range five (5) west, San Bernardino meridian, California; thence southerly along the surveyed and unsurveyed range line between ranges five (5) and six (6) west to the northwest corner of section eighteen (18), township one (1) north, range five (5) west; thence easterly along the section line between sections seven (7) and eighteen (18) to the western boundary of the "Rancho Muscupiabe;" thence easterly, following the western and northern boundary of said rancho, to the point where said boundary intersects the section line between sections nineteen (19) and thirty (30), township one (1) north, range three (3) west; thence easterly along the section lines to the northeast corner of section twenty-five (25), said township and range; thence southerly along the range line between ranges two (2) and three (3) west to the San Bernardino base line; thence easterly along said base line to the northeast corner of section four (4), township one (1) south, range two (2) west, southerly along the unsurveyed and surveyed section lines to the northeast corner of section (16), easterly along the section lines to the northeast corner of section thirteen (13), and southerly to the southeast corner of section thirteen (13), all of said township and range; thence easterly to a point for the center of township one (1) south, range one (1) west; thence southerly to a point for the southwest corner of section thirty-four (34) in said township and range; thence easterly along the surveyed and unsurveyed township line between townships one (1) and two (2) south to the San Bernardino meridian; thence southerly along said meridian to the northeast corner of township three (3) south, range one (1) west; thence easterly through the Maronge Indian Reservation to the southeast corner of township two (2) south, range three (3) east; thence northerly along the surveyed and unsurveyed range line to the northeast corner of said township; thence easterly to a point for the southeast corner of township one (1) south, range four (4) east; thence northerly along the surveyed and unsurveyed range line between ranges four (4) and five (5) east to the northeast corner of section twenty-four (24), township three (3) north, range four (4) east; thence westerly along the surveyed and unsurveyed section lines to the southwest corner of section eighteen (18), township three (3) north, range (3) east; thence northerly along the range line between ranges two (2) and three (3) east to the northeast corner of township three (3) north, range two ~~(2) east~~; thence westerly along the township line between townships three (3) and four (4) north to the northwest corner of township three (3) north, range (5) west, the place of beginning.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States land office, or upon which any valid settlement has been made pursuant to law and the statutory period within which to make entry or filing of record has not expired, and all mining claims duly located and held according to the laws of the United States and rules and regulations not in conflict therewith.

Provided, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, settlement, or location was made.

Warning is hereby expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this 25th day of February, A. D. 1893, and of the Independence of the United States the one hundred and seventeenth.

BENJ. HARRISON.

By the President:
WILLIAM F. WHARTON,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas public interests require that the Senate should be convened at 12 o'clock on the 4th day of March next to receive such communications as may be made by the Executive:

Now, therefore, I, Benjamin Harrison, President of the United States, do hereby proclaim and declare that an extraordinary occasion requires the Senate of the United States to convene at the Capitol, in the city of Washington, on the 4th day of March next, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, this 25th day of February, A. D. 1893, and of the Independence of the United States of America the one hundred and seventeenth.

[SEAL.]

BENJ. HARRISON.

By the President:
WILLIAM F. WHARTON,
Acting Secretary of State.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE ORDERS.

AMENDMENT OF CIVIL-SERVICE RULES.

JANUARY 5, 1893.

Section 2 of Postal Rule I is hereby amended so as to read as follows:

The classification of the postal service made by the Postmaster-General under section 6 of the act of January 16, 1883, is hereby extended to all free-delivery post-offices; and hereafter whenever any post-office becomes a free-delivery office the said classification or any then existing classification made by the Postmaster-General under said section and act shall apply thereto; and the Civil Service Commission shall provide examinations to test the fitness of persons to fill vacancies in all free-delivery post-offices, and these rules shall be in force therein; but this shall not include any post-office made an experimental free-delivery office under the authority contained in the appropriation act of March 3, 1891. Every revision of the classification of any post-office under section 6 of the act of January 16, 1883, and every inclusion of a post-office within the classified postal service shall be reported to the President.

BENJ. HARRISON.

GENERAL ORDERS, NO. 4.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, January 19, 1893.

I. The following proclamation [order] has been received from the President:

EXECUTIVE MANSION,
Washington, D. C., January 18, 1893.

To the People of the United States:

The death of Rutherford B. Hayes, who was President of the United States from March 4, 1877, to March 4, 1881, at his home in Fremont, Ohio, at 11 p. m. yesterday, is an event the announcement of which will be received with very general and very sincere sorrow. His public service extended over many years and over a wide range of official duty. He was a patriotic citizen, a lover of the flag and of our free institutions, an industrious and conscientious civil officer, a soldier of dauntless courage, a loyal comrade and friend, a sympathetic and helpful neighbor, and the honored head of a happy Christian home. He has steadily grown in the public esteem, and the impartial historian will not fail to recognize the conscientiousness, the manliness, and the courage that so strongly characterized his whole public career.

As an expression of the public sorrow it is ordered that the Executive Mansion and the several Executive Departments at Washington be draped in mourning and the flags thereon placed at half-staff for a

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

period of thirty days, and that on the day of the funeral all public business in the Departments be suspended, and that suitable military and naval honors, under the orders of the Secretaries of War and of the Navy, be rendered on that day.

Done at the city of Washington, this 18th day of January, A. D. 1893, and of the Independence of the United States of America the one hundred and seventeenth.

[SEAL.]

BENJ. HARRISON.

By the President:

JOHN W. FOSTER, *Secretary of State.*

II. In compliance with the instructions of the President, on the day of the funeral, at each military post, the troops and cadets will be paraded and this order read to them, after which all labors of the day will cease.

The national flag will be displayed at half-staff.

At dawn of day thirteen guns will be fired, and afterwards at intervals of thirty minutes between the rising and setting of the sun a single gun, and at the close of the day a national salute of forty-four guns.

The officers of the Army will wear crape on the left arm and on their swords and the colors of the Battalion of Engineers, of the several regiments, and of the United States Corps of Cadets will be put in mourning for a period of six months.

The date of the funeral will be communicated to department commanders by telegraph, and by them to their subordinate commanders.

By command of Major-General Schofield:

R. WILLIAMS, *Adjutant-General.*

GENERAL ORDER NO. 406.

NAVY DEPARTMENT,
Washington, D. C., January 19, 1893.

The President of the United States announces the death of ex-President Rutherford B. Hayes in the following proclamation [order]:

[For order see preceding page.]

It is hereby directed, in pursuance of the instructions of the President, that on the day of the funeral, where this order may be received in time, otherwise on the day after its receipt, the ensign at each naval station and of each of the vessels of the United States Navy in commission be hoisted at half-mast from sunrise to sunset, and at each naval station and on board of flagships and vessels acting singly a gun be fired at intervals of every half hour from sunrise to sunset.

The officers of the Navy and Marine Corps will wear the usual badge of mourning attached to the sword hilt and on the left arm for a period of thirty days.

JAMES R. SOLEY,
Acting Secretary of the Navy.

Este libro forma parte del acervo de la Biblioteca Jurídica Virtual del Instituto de Investigaciones Jurídicas de la UNAM
www.juridicas.unam.mx
http://biblio.juridicas.unam.mx
Libro completo en
http://biblio.juridicas.unam.mx/libros/libro.htm?l=2929

EXECUTIVE MANSION,
Washington, January 27, 1893.

To the People of the United States:

It is my painful duty to announce to the people of the United States the death of James Gillespie Blaine, which occurred in this city to-day at 11 o'clock.

For a full generation this eminent citizen has occupied a conspicuous and influential position in the nation. His first public service was in the legislature of his State. Afterwards for fourteen years he was a member of the national House of Representatives, and was three times chosen its Speaker. In 1876 he was elected to the Senate. He resigned his seat in that body in 1881 to accept the position of Secretary of State in the Cabinet of President Garfield. After the tragic death of his chief he resigned from the Cabinet, and, devoting himself to literary work, gave to the public in his Twenty Years of Congress a most valuable and enduring contribution to our political literature. In March, 1889, he again became Secretary of State, and continued to exercise this office until June, 1892. His devotion to the public interests, his marked ability, and his exalted patriotism have won for him the gratitude and affection of his countrymen and the admiration of the world. In the varied pursuits of legislation, diplomacy, and literature his genius has added new luster to American citizenship.

As a suitable expression of the national appreciation of his great public services and of the general sorrow caused by his death, I direct that on the day of his funeral all the Departments of the executive branch of the Government at Washington be closed, and that on all public buildings throughout the United States the national flag shall be displayed at half-staff, and that for a period of thirty days the Department of State be draped in mourning.

Done at the city of Washington, this 27th day of January, A. D. 1893, and of the Independence of the United States of America the one hundred and seventeenth.

[SEAL.]

BENJ. HARRISON.

By the President:

JOHN W. FOSTER,
Secretary of State.