

the treasury on the 14th of last June, with its accompanying letter of the secretary of state, recommending an appropriation for a commission to study the industrial and commercial conditions in the Chinese empire and to report as to the opportunities for and the obstacles to the enlargement of markets in China for the raw products and manufactures of the United States. Action was not taken thereon during the last session. I cordially urge that the recommendation receive at your hands the consideration which its importance and timeliness merit."

In his annual message of 1899 he again called attention to this recommendation, quoting it, and stated further:

"I now renew this recommendation, as the importance of the subject has steadily grown since it was first submitted to you, and no time should be lost in studying for ourselves the resources of this great field for American trade and enterprise."

The importance of securing proper information and data with a view to the enlargement of our trade with Asia is undiminished. Our consular representatives in China have strongly urged a place for permanent display of American products in some prominent trade center of that empire under government control and management as an effective means of advancing our export trade therein. I call the attention of the congress to the desirability of carrying out these suggestions.

#### Immigration and Naturalization.

In dealing with the questions of immigration and naturalization it is indispensable to keep certain facts ever before the minds of those who share in enacting the laws. First and foremost let us remember that the question of being a good American has nothing whatever to do with a man's birthplace any more than it has to do with his creed. In every generation from the time this government was founded men of foreign birth have stood in the very foremost rank of good citizenship, and that not merely in one but in every field of American activity, while to try to draw a distinction between the man whose parents came to this country and the man whose ancestors came to it is a mere trifling and a matter of absurdity. Good Americanism is a matter of heart, of conscience, of lofty aspiration, of sound common sense, but not of birthplace or of creed. The medal of honor, the highest prize to be won by those who serve in the army and the navy of the United States, decorates men born here, and it also decorates men born in Great Britain and Ireland, in Germany, in Scandinavia, in France and doubtless in other countries also. In the field of statesmanship, in the field of business, in the field of philanthropic endeavor, it is equally true that among the men of whom we are most proud as Americans no distinction whatever can be drawn between those who themselves or whose parents came over in sailing ship or steamer from across the water and those whose ancestors stepped ashore into the wooded wilderness at Plymouth or at the mouth of the Hudson, the Delaware or the James nearly three centuries ago. No fellow citizen of ours is entitled to any peculiar regard because of the way in which he worships his Maker or because of the birthplace of himself or his parents, nor should he be in any way discriminated against therefor. Each must stand on his own merits as a man, and each is entitled to be judged solely thereon.

There is no danger of having too many immigrants of the right kind. It makes no difference from what country they come. If they are sound in body and in mind and above all if they are of good character, so that they can be assured that their children and grandchildren will be worthy fellow citizens of our children and grandchildren, then we should welcome them with cordial hospitality.

But the citizenship of this country should not be debased. It is vital that we should keep high the standard of well being among our wage-workers, and therefore we should not admit masses of men whose standards of living and whose personal customs and habits are such that they tend to lower the level of the American wage-worker, and above all we should not admit any man of an unworthy type, any man concerning whom we can say that he will himself be a bad citizen or that his children and grandchildren will detract from instead of adding to the sum of the good citizenship of the country. Similarly we should take the greatest care about naturalization. Fraudulent naturalization, the naturalization of improper persons, is a curse to our government, and it is the affair of every honest voter wherever born to see that no fraudulent voting is allowed, that no fraud in connection with naturalization is permitted.

In the past year the cases of false, fraudulent and improper naturalization of aliens coming to the attention of the executive branches of the government have increased to an alarming degree. Extensive sales of forged certificates of naturalization have been discovered, as well as many cases of naturalization secured by perjury and fraud, and, in addition, instances have accumulated showing that many courts issue certificates of naturalization carelessly and upon insufficient evidence.

Under the constitution it is in the power of the congress "to establish a uniform rule of naturalization," and numerous laws have from time to time been enacted for that purpose, which have been supplemented in a few states by state laws having special application. The federal statutes permit naturalization by any court of record in the United States having common law jurisdiction and a seal and clerk, except the police court of the District of Columbia, and nearly all these courts exercise this important function. It results that where so many courts of such varying grades have jurisdiction there is lack of uniformity in the rules applied in conferring naturalization. Some courts are strict and others lax. An alien who may secure naturalization in one place might be denied it in another, and the intent of the constitutional provision is, in fact, defeated. Furthermore, the certificates of naturalization issued by the courts differ widely in wording and appearance and when they are brought into use in foreign countries are frequently subject to suspicion.

Naturalization Laws Should be Revised. There should be a comprehensive re-

vision of the naturalization laws. The courts having power to naturalize should be definitely named by national authority; the testimony upon which naturalization may be conferred should be definitely prescribed; publication of impending naturalization applications should be required in advance of their hearing in court; the form and wording of all certificates issued should be uniform throughout the country, and the courts should be required to make reports to the secretary of state at stated periods of all naturalizations conferred.

#### Laws Concerning Citizenship.

Not only are the laws relating to naturalization now defective, but those relating to citizenship of the United States ought to be made the subject of scientific inquiry with a view to probable further legislation. By what acts expatriation may be assumed to have been accomplished, how long an American citizen may reside abroad and receive the protection of our passport, whether any degree of protection should be extended to one who has made the declaration of intention to become a citizen of the United States, but has not secured naturalization, are questions of serious import, involving personal rights and often producing friction between this government and foreign governments. Yet upon these questions our laws are silent. I recommend that an examination be made into the subjects of citizenship, expatriation and protection of Americans abroad, with a view to appropriate legislation.

#### Protection of Elections.

The power of the government to protect the integrity of the elections of its own officials is inherent and has been recognized and affirmed by repeated declarations of the supreme court. There is no enemy of free government more dangerous and none so insidious as the corruption of the electorate. No one defends or excuses corruption, and it would seem to follow that no one would oppose vigorous measures to eradicate it. The government has enacted a law directed against bribery and corruption in federal elections. The details of such a law may be safely left to the wise discretion of the congress, but it should go as far as under the constitution it is possible to go and should include severe penalties against him who gives or receives a bribe intended to influence his act or opinion as an elector, and provisions for the publication not only of the expenditures for nominations and elections of all candidates, but also of all contributions received and expenditures made by political committees.

#### Delays in Criminal Prosecutions.

No subject is better worthy the attention of the congress than that portion of the report of the attorney general dealing with the long delays and the great obstruction to justice experienced in the cases of Beavers, Green and Gaylor and Benson. Were these isolated and special cases I should not call your attention to them, but the difficulties encountered as regards these men who have been indicted for criminal practices are not exceptional. They are precisely similar in kind to what occurs again and again in the case of criminals who have sufficient means to enable them to take advantage of a system of procedure which has grown up in the federal courts and which amounts in effect to making the law easy of evasion. The man who has no money and difficult of enforcement, even to the point of sometimes securing immunity, as regards the man who has money. In criminal cases the writ of the United States courts should run throughout its borders. The wheels of justice should not be clogged, as they have been clogged in the cases above mentioned, where it has proved absolutely impossible to bring the accused to the place appointed by the constitution for his trial. Of recent years there has been grave and increasing complaint of the difficulty of bringing to justice those criminals whose criminality instead of being against one person in the republic is against all persons in the republic, because it is against the republic itself. Under any circumstance and from the very nature of the case it is often exceedingly difficult to secure proper punishment of those who have been guilty of wrongdoing against the government. By the time the offender can be brought into court the popular wrath against him has generally subsided, and the case is lost. It is a slight danger indeed of any prejudice existing in the minds of the jury against him. At present the interests of the innocent man are amply safeguarded, but the interests of the government—that is, the interests of honest administration; that is, the interests of the people—are not recognized as they should be. No subject better warrants the attention of the congress. Indeed no subject better warrants the attention of the bench and the bar throughout the United States.

#### Alaska.

Alaska, like all our territorial acquisitions, has proved resourceful beyond the expectations of those who made the purchase. It has become the home of many hardy, industrious and thrifty American citizens. Towns of a permanent character have been built. The extent of its wealth in minerals, timber, fisheries and agriculture, while great, is probably not comprehended yet in any just measure by our people. We do know, however, that from a very small beginning its products have grown until they are a steady and material contribution to the wealth of the nation. Owing to the immensity of Alaska and its location in the far north it is a difficult matter to provide many things essential to its growth and to the happiness and comfort of its people by private enterprise alone. It should therefore receive reasonable aid from the government. The government has already done excellent work for Alaska in laying cables and building telegraph lines. This work has been done in the most economical and efficient way by the signal corps of the army.

In some respects it has outgrown its present laws, while in others those laws have been found to be inadequate. In order to obtain information upon which I could rely I caused an official of the department of justice, in whose judgment I have confidence, to visit Alaska during the past summer for the purpose of ascertaining how government is administered there and what legislation is actually needed at present. A statement of the conditions found to exist, together with some rec-

ommendations and the reasons therefor, in which I strongly concur, will be found in the annual report of the attorney general. In some instances I feel that the legislation suggested is so imperatively needed that I am moved briefly to emphasize the attorney general's proposals.

Under the code of Alaska as it now stands many purely administrative powers and duties, including by far the most important, devolve upon the district judges or upon the clerks of the district court acting under the direction of the judges, while the governor, upon whom these powers and duties should logically fall, has nothing specific to do except to make annual reports, issue Thanksgiving day proclamations and appoint Indian policemen and notaries public. I believe it essential to good government in Alaska and therefore recommend that the congress direct the district judges and the clerks of their courts of the administrative or executive functions that they now exercise and cast them upon the governor. This would not be an innovation. It would simply conform the government of Alaska to fundamental principles, making the governorship of a living instead of a merely nominal office and leaving the judges free to give their entire attention to their judicial duties and at the same time removing them from a great deal of the strife that now embarrasses the judicial office in Alaska.

I also recommend that the salaries of the district judges and district attorneys in Alaska be increased so as to make them equal to those received by corresponding officers in the United States, after deducting the difference in the cost of living; that the district attorneys should be prohibited from engaging in private practice; that United States commissioners be appointed by the governor of the territory instead of by the district judges, and that a fixed salary be provided for them to take the place of the discredited "fee system," which should be abolished in all offices; that a mounted constabulary be created to police the territory outside the limits of incorporated towns—a vast section now wholly without police protection—and that some provision be made to at least lessen the oppressive delays and costs that now attend the prosecution of appeals from the district court of Alaska. There should be a division of the existing judicial districts and an increase in the number of judges.

Alaska should have a delegate in the congress. Where possible the congress should aid in the construction of light wagon roads. Additional light-houses should be provided. In my judgment, it is especially important to aid in such manner as seems just and feasible in the construction of a trunk line of railway to connect the gulf of Alaska with the Yukon river through the American territory. This would be most beneficial to the development of the resources of the territory and to the comfort and welfare of its people. Salmon hatcheries should be established in many different streams, so as to secure the preservation of this valuable food fish. Salmon fisheries and canneries should be prohibited on certain of the rivers where the mass of those Indians dwell who live almost exclusively on fish.

The Alaska natives are kindly, intelligent, anxious to learn, willing to work. Those who have come under the influence of civilization, even for a limited period, have proved their capability of becoming self supporting, self respecting citizens and ask only for the just enforcement of law and intelligent instruction and supervision. Others, living in more remote regions, primitive, simple hunters and fishers, who know only the life of the woods and the waters, are daily being confronted with the complexities of civilization with all its complications. Their country is being overrun by strangers, the game slaughtered and driven away, the streams depleted of fish and hitherto unknown and fatal diseases brought to them, all of which combine to produce a state of abject poverty and want which must result in their extinction. Action in their interest is demanded by every consideration of justice and humanity.

The needs of these people are: The abolition of the present fee system, whereby the native is degraded, imposed upon and taught the injustice of law.

The establishment of hospitals at central points, so that contagious diseases that are brought to them continually by incoming whites may be isolated and not allowed to become epidemic, to spread death and destitution over great areas.

The development of the educational system in the form of practical training in such industries as will assure the Indians self support under the changed conditions in which they will have to live.

#### Hawaii and Porto Rico.

The duties of the office of the governor should be extended to include the supervision of Indian affairs, with necessary assistants in different districts. He should, by the means and the power to protect and advise the native people, to furnish medical treatment in time of epidemics and to extend material relief in periods of famine and extreme destitution.

The Alaskan natives should be given the right to acquire, hold and dispose of property upon the same conditions as given other inhabitants, and the privilege of citizenship should be given to such as may be able to meet certain definite requirements. In Hawaii congress should give the governor power to remove all the officials appointed under him. The harbor of Honolulu should be dredged. The marine hospital service should be empowered to study leprosy in the islands. I ask special consideration for the report and recommendations of the governor of Porto Rico.

#### Foreign Policy.

In treating of our foreign policy and of the attitude that this great nation should assume in the world at large it is absolutely necessary to consider the army and the navy, and the congress, through which the thought of the nation finds its expression, should keep ever vividly in mind the fundamental fact that it is impossible to treat our foreign policy, whether this policy takes shape in the effort to secure justice for others or justice for ourselves, save as conditioned upon the attitude we are willing to take toward our army and especially toward our navy. It

is not merely unwise, it is contemptible, for a nation, as for an individual, to use high sounding language to proclaim its purposes or to take positions which are ridiculous, if unsupported by potential force, and then to refuse to provide this force. If there is no intention of providing and of keeping the force necessary to back up a strong attitude, then it is far better not to assume such an attitude.

The steady aim of this nation, as of all enlightened nations, should be to bring ever nearer the day when there shall prevail throughout the world the peace of justice. There are kinds of peace which are highly undesirable, which are in the long run as destructive as any war. Tyrants and oppressors have many times made a wilderness and called it peace. Many times peoples who were slothful or timid or shortsighted, who had been mislead by false teachings, have shrunk in unmanly fashion from doing duty that was stern and that needed self sacrifice and have sought to hide from their own minds their shortcomings, their ignoble motives, by calling them love of peace. The peace of tyrannical rule, the peace of craven weakness, the peace of injustice—all these should be shunned as we shun unrighteous war. The goal set before us as a nation, the goal which should be set before all mankind, is the attainment of the peace of justice, of the peace which comes when each nation is not merely safeguarded in its own rights, but scrupulously recognizes and performs its duty toward others. Generally peace tells for righteousness, but if there is conflict between the two then our fealty is due first to the cause of righteousness. Unrighteous wars are common, and unrighteous peace is common, but both should be shunned. The right of freedom and the responsibility for the exercise of that right cannot be divorced. One of our great poets has well and finely said that freedom is not a gift that carries long in the hands of cowards. Neither does it carry long in the hands of those too slothful, too dishonest or too unintelligent to exercise it. The eternal vigilance which is the price of liberty must be exercised sometimes to guard against outside foes, although, of course, far more often to guard against our own selfish or thoughtless shortcomings.

If these self evident truths are kept before us, and only if they are so kept before us, we shall have a clear idea of what a great foreign policy is and the aspects should be. It is our duty to remember that a nation has no more right to do injustice to another nation, strong or weak, than an individual has to do injustice to another individual; that the same moral law applies in one case as in the other. But we must also remember that it is as much the duty of the nation to guard its own rights and its own interests as it is the duty of the individual to do so. Within the nation the individual has now delegated this right to the state—that is, to the representative of all the individuals—and it is a maxim of the law that for every wrong there is a remedy. But in international law we have not advanced by any means as far as we have advanced in municipal law. There is as yet no judicial law of enforcing a right in international law. When one nation wrongs another or wrongs many others, there is no tribunal before which the wrongdoer can be brought. Either it is necessary simply to acquiesce in the wrong and thus put a premium upon brutality and aggression or else it is necessary for the aggrieved nation valiantly to stand up for its rights. Until some method is devised by which there shall be a degree of international control over offending nations it would be a wicked thing for the most civilized powers, for those with most sense of international obligations and with keenest and most generous appreciation of the difference between right and wrong, to disarm.

If the great civilized nations of the present day should completely disarm, the result would be an immediate recrudescence of barbarism in one form or another. Under any circumstances a sufficient armament would have to be kept up to serve the purposes of international police, and until international cohesion and the sense of international duties and rights are far more advanced than at present a nation desirous both of securing respect for itself and of doing good to others must have a sufficient armament. The nations of the present day should completely disarm, the result would be an immediate recrudescence of barbarism in one form or another. 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