

COLORADO BOUNDARY LINE—VETO MESSAGE.

The following message was received from the President of the United States, by Mr. Latta, his secretary:

To the Senate:

I return herewith, without approval, Senate joint resolution No. 78, "Establishing the boundary line between the States of Colorado and Oklahoma and the Territory of New Mexico," for the reasons set forth in the following communication of the Attorney-General:

"I have the honor to report, with respect to joint resolution S. R. 78, referred by you to this department, that the purpose of the said resolution appears to be to correct the boundary line between the Territory of New Mexico and the States of Colorado and Oklahoma. The practical effect of establishing the new boundary line, so far as the State of Colorado is concerned, would be to remove from the jurisdiction of that State and add to the Territory of New Mexico a strip along nearly the whole of the southern boundary of the said State, in which there are located at least five post-offices and an appreciable number of inhabitants. So far as I am aware no action has been taken by the legislature of the State of Colorado assenting to or accepting the location of the boundary as proposed in this resolution, and from such inquiry as I have been able to make in the very limited time since the resolution reached me, I am led to think that such assent or acceptance on the part of the State is improbable. Under these circumstances, I think it is of very doubtful expediency to have the line mentioned in the resolution accepted by the United States as the true boundary. It is not necessary to express an opinion as to the legal effect of such a resolution upon the rights of the United States or of the Territory of New Mexico or the duties of federal or territorial officers; but it is clear that the resolution would not be binding upon the State of Colorado, and its adoption might lead to conflicts of jurisdiction within the long strip of territory to which I have referred, and possibly to the escape from legal punishment of those guilty of crimes committed within the said strip. If it is deemed desirable to establish the true boundary line, an appropriate method to effect this would be to invoke,

by appropriate proceedings, the original jurisdiction of the Supreme Court.

"I therefore respectfully advise that the joint resolution in question do not receive your signature."

THEODORE ROOSEVELT.

THE WHITE HOUSE, December 19, 1908.

The message was read;

The Senate proceeded, as the Constitution prescribes, to consider the joint resolution (S. R. 78) returned by the President of the United States to the Senate, in which it originated, with his objections; which resolution is in the following words, viz:—

[S. R. 78. Sixtieth Congress of the United States of America: at the second session, begun and held at the city of Washington on Monday, the 7th day of December, 1908.]

Joint resolution establishing the boundary line between the States of Colorado and Oklahoma and the Territory of New Mexico.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the establishment of the boundary line between the States of Colorado and Oklahoma and the Territory of New Mexico, authorized by the act of Congress approved July 1, 1902 (32 Stat. L., p. 574), "For the resurvey and reestablishment on the line of the thirty-seventh parallel of north latitude * * *," it being the boundary line established by the enabling act (March 3, 1875; 18 Stat. L., p. 474) under which Colorado was admitted into the Union; said survey having been made and monuments set on said line and having been approved and accepted by the Interior Department under date of February 25, 1904, and known as the "Carpenter survey," be, and the same is hereby, accepted by the United States on its part as the proper location of the thirty-seventh parallel and the true boundary line between the said States and Territory.*

J. G. CANNON,

Speaker of the House of Representatives.

CHARLES W. FAIRBANKS,

Vice-President of the United States and President of the Senate.

I certify that this joint resolution originated in the Senate.

CHARLES G. BENNETT,

Secretary.

By H. M. ROSE,

Assistant Secretary.

The Vice-President stated the question to be, Shall the resolution pass, the objections of the President to the contrary notwithstanding?

On motion by Mr. Teller,

Ordered. That the resolution and message lie on the table and be printed.