

## SENATE.

MONDAY, February 10, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 199) for the establishment of a light station on Bluff Shoal, Pamlico Sound, North Carolina;

A bill (H. R. 5801) to authorize the St. Clair Terminal Railroad Company to construct and maintain a bridge across the Monongahela River;

A bill (H. R. 8108) for the relief of John Hornick;

A bill (H. R. 10070) establishing a United States court at Catlettsburg, in the eastern district of Kentucky;

A bill (H. R. 10380) to authorize the transfer to an adjoining district of causes in the district or circuit courts of the United States in which the judge of the district wherein such causes are pending is disqualified;

A bill (H. R. 10847) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1903, and for other purposes; and

A joint resolution (H. J. Res. 106) authorizing the Secretary of War to loan to the Pennsylvania Society of the Sons of the American Revolution certain Revolutionary trophies at Allegheny Arsenal, Pittsburgh, Pa.

The message further communicated to the Senate resolutions adopted by the House commemorative of the life and public services of Hon. ROBERT E. BURKE, late a Representative from the State of Texas.

## ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 8761) to declare the international railway bridge over the St. Lawrence River, near Hogansburg, N. Y., a lawful structure; and it was thereupon signed by the President pro tempore.

## MONUMENT TO COMMODORE PERRY IN JAPAN.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 3d instant, the reports of Rear-Admiral Frederick Rodgers, United States Navy, and Rear-Admiral L. A. Beardslee, United States Navy, retired, relating to the unveiling of the monument to Commodore Perry in Japan.

Mr. HOAR. I have in my possession a number of extracts from Japanese newspapers sent me by the Secretary of State containing an account of that celebration. They are not very voluminous, and I have the authority of the Secretary of State to do what I propose. I move that the reports be printed and with them the newspaper accounts of the celebration belonging to the State Department.

The PRESIDENT pro tempore. The reports will be printed. The Senator from Massachusetts asks unanimous consent that certain extracts from papers to which he has referred may be printed in connection with the reports. Is there objection? The Chair hears none, and it is so ordered.

## COST OF NAVAL VESSELS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of February 21, 1901, a statement showing the amounts authorized for the construction of new vessels under "Increase of the Navy," etc.; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

## OFFICE OF REGISTER OF THE TREASURY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Register of the Treasury in relation to the necessity for an increased force in the office of the Register; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

## REPORT OF INDUSTRIAL COMMISSION.

The PRESIDENT pro tempore. The Chair presents the last report of the Industrial Commission. The Commission asks that the letter of transmittal may be printed in the RECORD. It is short. Is there objection. The Chair hears none, and it is so ordered.

The letter referred to is as follows:

INDUSTRIAL COMMISSION,  
Washington, D. C., February 10, 1902.

To the Fifty-seventh Congress:

In behalf of the Industrial Commission I have the honor to submit herewith its final report. This is Volume XIX and is devoted to historical reviews of the subjects of our inquiries, and to recommendations for legislation, with appendixes relating thereto.

It presents a substantially complete epitome of the industrial life of the nation and of the important changes in business methods which have taken place in recent years, with a discussion of some of the economic problems which confront the people.

It may not be inappropriate to call attention to certain features of our reports, which we hope will make them convenient to members of Congress and to legislators in the several States, and also to economists and business men throughout the country.

In the first place it was the aim of the Commission to select only the most competent witnesses, although, of course, there were, in the nearly 700 examined, a few who sought to be heard, and some of them, perhaps, for personal as well as public reasons. As a rule, however, the evidence is that of the chief men in business or the heads of business departments, public officials, leaders of organized labor, and experts who have given the subjects exhaustive study.

Having obtained such instructive testimony, it was the next purpose of the Commission to present it in accessible and attractive form; therefore each of the volumes of testimony opens with a narrative review of its substance. This is followed by a digest of the evidence, usually about one-fourth the length of the evidence itself, arranged under topical heads and giving reference to the pages of the testimony and cross references to other evidence on authorities on the same subject. In addition, each volume contains an index of the digest and an index of the testimony, prepared in accordance with the latest and best approved library rules, while the final volume contains an index of its contents and a general index for all the volumes, by means of which quick and sure guidance can be had to all the information presented. Some of these features are unique in Government reports and have been highly commended by economists at home and abroad.

Besides taking testimony the Commission has availed itself of much other authentic information, gathered chiefly from official documents of the nation and the States, from the decisions of courts, and from the researches of experts. Thus a person who seeks knowledge as to the history and latest status of any of the subjects covered can find it in condensed but accurate terms in these volumes without taking the trouble to find and read the many publications from which it has been gleaned. In view of the size of the country and the voluminous nature of the legislation and reports of its forty-five States, and of the many organizations which represent industrial progress, this compendium should prove of service to busy men.

Any reader of the reviews in this final volume can not but be impressed with the immensity and complexity of the industrial life of the nation and with the fact that nearly all kinds of business have undergone almost revolutionary changes in recent years. It would now seem impossible to legislate wisely or to conduct business prudently without obtaining knowledge of these new conditions. It is not presumptuous to say that most students of these reports will find many revelations of business methods and complications of which they knew little before and will have a liberal education in the economic problems of the day.

Possibly a word will be pardoned in reference to the publication and distribution of the volumes. For some months past the demands for them from all over the country and from foreign countries has been so great that regrets are expressed that larger editions were not printed. Doubtless Senators and Representatives have generally sent their allotments to libraries, which will serve the public fairly well so far as all but the final volume is concerned; but as this volume is substantially complete of itself and embraces summaries and conclusions drawn from its predecessors, probably the publication of a very large edition for a much more general and popular distribution would prove to be a profitable and commendable use of public funds.

The Commission regrets that lack of time prevented it from taking testimony in the States on the Pacific coast, now such an important part of the country, and from investigating many branches of industry and some of the newest combinations in sections which it partially covered. It especially regrets its inability to complete an investigation of telegraph systems and proposed Government ownership and of the American merchant marine in the foreign trade. The country has become so vast and its industries so varied and changeable that a bureau in a permanent department of the Government would have all it could do to keep trace of the mutations of business, a subject which is quite apart from the scientific and statistical work now well performed by other bureaus and departments.

The Commission acknowledges with gratitude courtesies received from officials in various departments of the Government and in many of the States, and takes pleasure in testifying to the fidelity of its entire corps of assistants, especially to the valuable aid rendered by most of its expert agents, particularly by its accomplished secretary, Mr. Edward Dana Durand, and by Messrs. F. J. Stimson, J. W. Jenks, William Z. Ripley, John Franklyn Crowell, John R. Commons, Max West, and Charles E. Edgerton.

In conclusion, it should be said that the duty which the law devolved upon the Commission, to recommend legislation, has been performed with becoming modesty and without a thought that importance will be attached to its suggestions except so far as they are the results of a careful study of the subjects. The signatures of commissioners apply to the recommendations only, and no commissioner who has signed is necessarily committed to the statements, reasoning, or language of the several reviews which precede the recommendations. It is believed that the conclusions as a whole are based upon a fair balance of evidence, and it is hoped that they will be of service to members of Congress and legislatures in shaping laws to the many new conditions which these reports present.

Respectfully submitted.

ALBERT CLARKE, Chairman.

The PRESIDENT pro tempore. The letter of transmittal and the accompanying volume will be referred to the Committee on Printing.

JAMES H. GILFOIL.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of James H. Gilfoil, administrator of Patrick Gilfoil, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

## CATHERINE M'INERNEY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Catherine McInerney, administratrix of Dennis O'Dea, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

## WASHINGTON AND MARLBORO ELECTRIC RAILWAY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Washington and Marlboro Electric Railway Company of Maryland; which was referred to the Committee on the District of Columbia, and ordered to be printed.

## URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9315) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 9, 10, 18, 21, 33, 45, 46, 47, 48, 50, 51, and 63.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 8, 11, 12, 14, 15, 16, 17, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 38, 40, 41, 42, 43, 44, 49, 53, 54, 55, 56, 57, 59, 60, 61, 62, 64, 65, 66, 67, 68, 69, and 70, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Strike out all after the word "necessary," in line 6 of the matter inserted by said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: After the word "supply," in line 4 of the matter inserted by said amendment, insert the words "and for purchase of additional land;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lines 5 and 6 of the matter inserted by said amendment strike out the following: "by and with the advice and consent of the Senate;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "the location of which shall be fixed by the President;" and on page 35 of the bill, in line 23, after the word "That," insert the words "on and after June 1, 1902;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: On page 47 of the bill, at the end of line 13, insert the following: "and the basement of said building may be used for storage of files by the Treasury Department;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the matter inserted by said House amendment insert the following: "Provided, That hereafter appropriations made for contingent expenses of the House of Representatives or the Senate shall not be used for the payment of personal services except upon the express and specific authorization of the House or Senate in whose behalf such services are rendered. Nor shall such appropriations be used for any expenses not intimately and directly connected with the routine legislative business of either House of Congress, and the accounting officers of the Treasury shall apply the provisions of this paragraph in the settlement of all accounts of expenditures from said appropriations incurred for services or materials subsequent to the approval of this act;" and the Senate agree to the same.

On amendments numbered 1, 71, 72, 73, 74, 75, 76, 77, and 78 the committee of conference have been unable to agree.

EUGENE HALE,

W. B. ALLISON,

H. M. TELLER,

*Managers on the part of the Senate.*

J. G. CANNON,

S. S. BARNEY,

L. F. LIVINGSTON,

*Managers on the part of the House.*

Mr. HALE. There are only two items for further conference. One is amendment numbered 1 on page 2, relating to the claim of the Mexican Government for a repayment of money in our Treasury. The House conferees were not prepared to agree to this proposition without submitting it first to the House.

The other amendments are those in relation to State claims. While recognizing the force of the Senate proposition, as they are of considerable amount and have never been before the House, the conferees on the part of the House declined to agree to them and desired to submit these amendments to the House itself, which will be done.

Almost all the other amendments of the Senate have been agreed to by the House conferees. There is a provision which regulates the auditing of the contingent fund of the House on which the conferees on both sides were in accord. Aside from that the bill goes to the House. After the report has been accepted I shall ask that the Senate insist on its amendments relating to the Mexican claim and the State claims and ask for a further conference.

The PRESIDENT pro tempore. Will the Senate agree to the report?

The report was agreed to.

Mr. HALE. I move that the Senate further insist upon its amendments not agreed to and ask for a further conference with the House of Representatives.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of Senate; and Mr. HALE, Mr. ALLISON, and Mr. TELLER were appointed.

## HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 199) for the establishment of a light station on Bluff Shoal, Pamlico Sound, North Carolina; and

A bill (H. R. 5801) to authorize the St. Clair Terminal Railroad Company to construct and maintain a bridge across the Monongahela River.

The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 10070) establishing a United States court at Catlettsburg, in the eastern district of Kentucky; and

A bill (H. R. 10380) to authorize the transfer to an adjoining district of causes in the district and circuit courts of the United States in which the judge of the district wherein such causes are pending is disqualified.

The bill (H. R. 8108) for the relief of John Hornick was read twice by its title, and referred to the Committee on Indian Depredations.

The bill (H. R. 10847) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1903, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

The joint resolution (H. J. Res. 106) authorizing the Secretary of War to loan to the Pennsylvania Society of the Sons of the American Revolution certain Revolutionary trophies at Allegheny Arsenal, Pittsburg, Pa., was read twice by its title, and referred to the Committee on Military Affairs.

## STATUTES DEFINING TREASON, SEDITION, ETC.

Mr. FORAKER. Mr. President, a few days ago we had a very interesting debate in the Senate in regard to the statute defining treason, sedition, and misprision of treason, and providing penalties therefor. As a result of that discussion and what was then developed I called on the law officer of the Division of Insular Affairs of the War Department to make a compilation of the statute in question and other statutes enacted by the United States and the various States of the Union on that subject. He has furnished it to me, and I ask that it may be printed as a Senate document.

The PRESIDENT pro tempore. The Senator from Ohio asks unanimous consent that the papers presented by him be printed as a document. Is there objection? The Chair hears none, and it is so ordered.

## PETITIONS AND MEMORIALS.

Mr. LODGE presented petitions of the Sportsmen's Club of Springfield, Mass., and of 12 citizens of the State of Massachusetts; of the faculty of Cornell University, of Ithaca, N. Y., and of 20 citizens of New York City, N. Y., and of the State legislature and the fish and game commissioner of the State of Colorado, praying that an appropriation be made for the erection of a monument in the city of Washington to the late Prof. Spencer F. Baird; which were referred to the Committee on the Library.

Mr. DEPEW presented petitions of sundry citizens of Carthage, Babylon, Port Jefferson, Troy, Ossing, Albany, Watertown, Cape Vincent, Pamelaia, Saratoga, Frankport, Green Island, Rennselaer, Yonkers, Lockport, Amsterdam, Schenectady, New Rochelle, Lima, Buffalo, Southampton, Laurel, Manorville, Greenport, Shelter Island, Moriches, East Moriches, Amagansett, Southold, East Hampton, Setauket, Remsenburg, Perry, Bacon Hill, Converse, Parishville, Brooklyn, Scarborough, North Ridgeway, East Marion, Mattituck, Lyons Falls, Turin, Utica, Sauquoit, Auburn, New Hartford, Sand Lake, Warwick, Green Island, Sodus, Pelham Manor, Waverly, Far Rockaway, Woodmere, Dunkirk, Gloversville, and Middletown, and of the Presbytery of Brooklyn and Utica, all in the State of New York, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. WARREN presented a petition of International Machinists' Union No. 89, American Federation of Labor, of Cheyenne, Wyo., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. BURROWS presented petitions of Local Union No. 233, Brotherhood of Painters, Decorators, and Paper Hangers of America, of Flint; of Saginaw Valley Union No. 14, of Saginaw; of Cigar Makers' Local Union No. 393, of Cadillac, all of the American Federation of Labor; of Local Union No. 226, United Brotherhood of Carpenters and Joiners of America, of Traverse City, and of Local Union No. 8, United Mine Workers of America, of Ishpeming, all in the State of Michigan, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.



He also presented petitions of sundry citizens of Ann Arbor and Detroit, in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of the Survivors' Association, District of Columbia Volunteers, 1861 to 1865, of Washington, D. C., praying for the enactment of legislation authorizing the payment of a bounty to District of Columbia Volunteers in the civil war; which was referred to the Committee on Military Affairs.

He also presented petitions of Federal Labor Union No. 9087, of Adrian; of Boiler Makers and Iron Ship Builders' Local Union No. 269, of Ionia; of Barbers' Local Union No. 15, of Flint; of Federal Labor Union No. 9368, of Lansing; of the Trades and Labor Council of Hancock; of Brewers' Labor Union No. 10, of Grand Rapids; of Longshoremen's Local Union No. 130, of Mackinac Island; of Machinists' Local Union No. 475, of St. Joseph; of Journeymen Barbers' Local Union No. 142, of Ishpeming, and of Local Union No. 178, International Association of Longshoremen, of Marine City, all of the American Federation of Labor; of Andrews Post, No. 294, Department of Michigan, Grand Army of the Republic, of Big Rapids, and of the Jackson Trades Council, of Jackson, all in the State of Michigan, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. MITCHELL presented a memorial of the Chamber of Commerce of Astoria, Oreg., and a memorial of sundry citizens of Burns, Oreg., remonstrating against the enactment of legislation providing for the leasing of the public lands for grazing purposes; which were referred to the Committee on Public Lands.

Mr. FOSTER of Washington presented petitions of the Ministerial Alliance, of Pullman, Wash., and of sundry citizens of the State of Washington, praying for the enactment of legislation to prohibit the sale of opium and intoxicating liquors in the island possessions of the United States; which were ordered to lie on the table.

He also presented petitions of Union Post, No. 70, Department of Washington, Grand Army of the Republic, of Chewelah; of Local Union No. 44, United Association of Steam and Gas Fitters, of Spokane, and of E. J. Houghton Post, No. 75, Department of Washington, Grand Army of the Republic, of Havre, all in the State of Washington, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. HOAR presented a petition of the Norwood Business Association and Board of Trade, of Norwood, Mass., praying for the repeal of the ad valorem duty of 15 per cent on hides; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Massachusetts, praying for the establishment of peace in the Philippine Islands in order that an opportunity may be given for the discussion of the situation between the Government of the United States and the Filipino leaders; which was referred to the Committee on the Philippines.

He also presented a petition of Cigar Makers' Local Union No. 28, of Westfield, Mass., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented petitions of Local Union No. 339, International Association of Machinists, of Worcester; of Finishers' Local Union No. 37, of Brockton; of Local Union No. 175, Retail Clerks' Protective Association, of Lynn, and of Carpenters' Local Union, No. 688, all of the American Federation of Labor; of A. St. John Chambre Post, No. 72, Department of Massachusetts, Grand Army of the Republic, of Stoughton, all in the State of Massachusetts, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. CLAY presented a petition of the city council of Savannah, Ga., and a petition of the Cotton Exchange of Savannah, Ga., praying for the enactment of legislation to promote the efficiency of the Revenue-Cutter Service; which were ordered to lie on the table.

Mr. BERRY presented a petition of Front End Lodge, No. 345, Brotherhood of Locomotive Firemen, of Fort Smith, Ark., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

Mr. DIETRICH (for Mr. MILLARD) presented a petition of sundry post-office clerks of South Omaha, Nebr., praying for the enactment of legislation providing for the classification of clerks employed in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. COCKRELL presented a petition of the Board of Trade of Kansas City, Mo., praying for the establishment of reciprocal

trade relations with the Dominion of Canada; which was referred to the Committee on Relations with Cuba.

Mr. FRYE presented petitions of sundry citizens of Berwick, Me., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of the Merchants' Exchange and Board of Trade of Portland, Me., remonstrating against the enactment of legislation authorizing the transportation of merchandise between the United States and foreign ports, etc.; which was referred to the Committee on Commerce.

He also presented a petition of the International and Benevolent Insurance Society, of Seattle, Wash., praying for the enactment of legislation to suppress anarchy; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry geographers, cartographers, and editors of the United States, praying that on the acquisition of the Danish West Indies their name be changed to that of McKinley Islands; which was referred to the Committee on Foreign Relations.

#### ACCOMMODATIONS FOR FEMALE EMPLOYEES.

Mr. GALLINGER. Mr. President, the Committee on the District of Columbia were instructed by a resolution of the Senate of January 7 to make an inquiry and investigation as to whether the act of Congress approved March 2, 1895, being "an act to provide that all persons employing female help in stores, shops, or manufactories in the District of Columbia shall provide seats for the same when not actively employed," is being observed, and if not, why its enforcement is being neglected, the result of the investigation to be reported to the Senate.

In pursuance of that resolution, I present a report from the Committee on the District of Columbia, and ask that it may be printed and referred back to the committee.

The PRESIDENT pro tempore. The report will be printed and referred to the Committee on the District of Columbia.

#### REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4037) granting a pension to Julia Maher;

A bill (H. R. 3511) granting an increase of pension to Mary C. Newcomb;

A bill (H. R. 5753) granting an increase of pension to Emil Frank; and

A bill (H. R. 236) granting an increase of pension to Lawrentus Lane.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 3229) granting a pension to Katherine R. A. Ogden, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3228) granting an increase of pension to Heber C. Griffin;

A bill (S. 3269) granting an increase of pension to Jane E. Thompson;

A bill (S. 2049) granting an increase of pension to Franklin Taylor;

A bill (S. 2767) granting an increase of pension to Albert D. Scovell; and

A bill (S. 3284) granting a pension to Gilbert P. Howe.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2394) granting an increase of pension to Sybil F. Hall;

A bill (S. 2923) granting an increase of pension to Elizabeth Floyd Sicard; and

A bill (S. 3559) granting an increase of pension to George E. Houghton.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 2967) to require cases of typhoid fever occurring in the District of Columbia to be reported to the health department of said District, to report it adversely. I will state that a similar bill passed both Houses of Congress and has become a law.

The PRESIDENT pro tempore. The bill will be postponed indefinitely.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 3327) in amendment of sections 23 and 26 of an act approved February 2, 1901, entitled "An act to increase the efficiency of the permanent military establishment of the United States," reported it with an amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Commerce, to whom was

referred the bill (S. 3107) to authorize the construction of a bridge over the Missouri River at or near the city of Kansas City, Mo., reported it with amendments.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 2213) for the relief of George W. Graham, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 905) for the relief of Lindley C. Kent and Joseph Jenkins, as the sureties of Frank A. Webb, asked to be discharged from its further consideration, and that it be referred to the Committee on Commerce; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 3083) providing for the adjudication of certain claims by the Court of Claims, reported it without amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2607) granting an increase of pension to Uriah S. Karmany; and

A bill (H. R. 4268) granting an increase of pension to James D. Woodward.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2013) granting an increase of pension to Sidney Leland; and

A bill (S. 2422) granting an increase of pension to John W. Burnham.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 2502) granting an increase of pension to Kate Virginia Dewey Cushing, reported it with amendments, and submitted a report thereon.

He also, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 342) for the relief of the heirs of Aaron Van Camp and Virginus P. Chapin; and

A bill (S. 1680) for the relief of William A. Cowles, administrator of George Cowles, deceased.

Mr. McCUMBER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 592) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota, reported it without amendment, and submitted a report thereon.

Mr. HOAR, from the Committee on Privileges and Elections, to whom was referred the joint resolution (S. R. 2) proposing an amendment to the Constitution of the United States respecting the commencement and termination of Congress, reported it with amendments.

He also, from the Committee on the Judiciary, to whom the subject was referred, reported a bill (S. 3653) for the protection of the President of the United States, and for other purposes; which was read twice by its title.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1728) granting an increase of pension to George W. Thompson;

A bill (H. R. 2265) granting an increase of pension to Martin V. Hathaway;

A bill (H. R. 2628) granting an increase of pension to Andrew Mulholland;

A bill (H. R. 6720) granting an increase of pension to George Patterson; and

A bill (H. R. 1374) granting an increase of pension to James Willard.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 7343) granting an increase of pension to Martha V. Keenan, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2100) granting an increase of pension to John McGrath; and

A bill (S. 469) granting an increase of pension to Hiram H. Kingsbury.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills and joint resolution, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3424) granting an increase of pension to Minnie E. King;

A bill (S. 3064) granting an increase of pension to Emma Sophia Harper Cilley; and

A joint resolution (S. R. 8) construing the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents."

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2412) granting a pension to Helen L. Pepper; and

A bill (H. R. 2815) granting an increase of pension to William S. Derby.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2643) granting an increase of pension to Peter C. Cleek; and

A bill (S. 3403) granting an increase of pension to George M. Emery.

Mr. SIMON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3482) granting an increase of pension to Ida C. Emery; and

A bill (S. 3393) granting a pension to William P. Arble.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5162) granting an increase of pension to Andrew H. Gifford; and

A bill (H. R. 3024) granting an increase of pension to Thomas V. Stran.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 721) granting an increase of pension to Lavalette D. Dickey; and

A bill (H. R. 1324) granting an increase of pension to Charles N. Lee.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (S. 1800) granting an increase of pension to Jennie C. Ruckle, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 701) granting an increase of pension to Elizabeth Kroger, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3553) granting an increase of pension to Mary A. Van Wormer;

A bill (H. R. 2617) granting an increase of pension to John Rapple;

A bill (H. R. 5147) granting an increase of pension to Theodore Lane; and

A bill (H. R. 2429) granting an increase of pension to John C. Morrison.

Mr. QUARLES, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1266) for the erection of a public building at Green Bay, Wis., reported it without amendment, and submitted a report thereon.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3204) granting an increase of pension to Mary T. Bruce;

A bill (S. 1942) granting a pension to Kate H. Clements; and

A bill (S. 3388) granting an increase of pension to John L. Peterson.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (S. 2508) granting an increase of pension to Pauline Lowe Murphy; reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3240) granting an increase of pension to Joseph Church;

A bill (H. R. 5259) granting an increase of pension to Gustav Schwartz;

A bill (H. R. 2321) granting an increase of pension to Joseph R. Martin; and

A bill (H. R. 5860) granting an increase of pension to Edward B. Scott.

#### JUDICIAL DISTRICTS IN GEORGIA.

Mr. BACON. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 3509) to transfer the



county of Carroll from the northwestern division of the northern district of Georgia back to the northern district of Georgia of the United States district and circuit courts, to report it favorably without amendment and to ask for its immediate consideration.

Mr. COCKRELL. Let it be read for information.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PERMANENT CENSUS OFFICE.

Mr. QUARLES. I am directed by the Committee on the Census, to whom was referred the bill (H. R. 10308) to provide for a permanent Census Office to report it with amendments and to submit a report thereon.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. QUARLES. In connection with the report, I desire to make a request.

While the committee were considering this permanent census bill we were overwhelmed with applications for hearings regarding the matter of civil service. We were unable to hear the distinguished gentlemen who wished to appear and requested them to present their arguments in writing. They did so, but too late to be considered by the committee. Therefore, out of deference to those gentlemen, I ask that their communication, which is short, may be printed as a public document for the consideration of the Senate during the pendency of this measure.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and the order is made.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. CULLOM. I introduce a bill prepared by the Spanish Treaty Claims Commission, which I ask to have read the first and second time, and referred to the Committee on Foreign Relations.

The bill (S. 3854) to vest in the Spanish Treaty Claims Commission certain powers possessed by circuit and district courts of the United States was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. FAIRBANKS introduced a bill (S. 3655) to correct the military record of William T. Rominger; which was read twice by its title and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3656) granting a pension to Amzi Lane;

A bill (S. 3657) granting an increase of pension to Nathan Bigham;

A bill (S. 3658) granting an increase of pension to William Pitman; and

A bill (S. 3659) granting a pension to Moses Kettering.

Mr. BURNHAM introduced a bill (S. 3660) granting a pension to Mary Sweeney; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SIMON introduced a bill (S. 3661) granting an increase of pension to George W. Edmunds; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 3662) granting a pension to Sarah C. Nicklin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. DIETRICH (for Mr. MILLARD) introduced a bill (S. 3663) to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of said railway; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (for Mr. MILLARD) introduced a bill (S. 3664) for the relief of A. H. Reynolds; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (for Mr. MILLARD) introduced a bill (S. 3665) to remove the charge of desertion from the military record of William Huth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (for Mr. MILLARD) introduced a bill (S. 3666) to authorize the sale of a part of the Fort Niobrara Military Reservation, in the State of Nebraska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. McENERY introduced a bill (S. 3667) to amend section 1 of the act of Congress approved July 12, 1886, relating to the Louisiana State University and Agricultural and Mechanical College; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3668) granting a pension to Hulda Milligan (with an accompanying paper);

A bill (S. 3669) granting an increase of pension to James H. McVicker;

A bill (S. 3670) granting an increase of pension to Thomas Bliss;

A bill (S. 3671) granting an increase of pension to James Donnelly; and

A bill (S. 3672) granting an increase of pension to James Scannell.

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 3673) to correct the military record of Jacob Cooper;

A bill (S. 3674) to correct the military record of Frank Wempe; and

A bill (S. 3675) to correct the military record of Lora E. Reed (with an accompanying paper).

Mr. DEPEW introduced a bill (S. 3676) to authorize the Secretary of War to acquire, by purchase or condemnation, Constitution Island, in the State of New York; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FORAKER introduced a bill (S. 3677) to increase the pension of William Hulsizer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3678) to remove the charge of desertion from the military record of Josiah Clark; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3679) for the relief of Foreman S. Wells; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. KEAN introduced a bill (S. 3680) granting an increase of pension to Amelia Stout MacIntosh; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Louisiana introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3681) for the relief of Toussaint Ecby;

A bill (S. 3682) for the relief of Mrs. Theodosie E. Flournoy;

A bill (S. 3683) for the relief of the estate of Onezime Leleux, deceased;

A bill (S. 3684) for the relief of Leonora J. Kennedy;

A bill (S. 3685) for the relief of Mrs. M. L. Holt, Mrs. Jane E. Cannon, and Mrs. I. B. Shipp;

A bill (S. 3686) for the relief of Mrs. E. A. Hollis;

A bill (S. 3687) for the relief of William Guchereau

A bill (S. 3688) for the relief of Mrs. Irene Granger;

A bill (S. 3689) for the relief of Mrs. Victor Fabre; and

A bill (S. 3690) for the relief of the estate of John R. Elliott, deceased.

Mr. PETTUS introduced a bill (S. 3691) for the relief of the personal representatives of Newton T. Demoury; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3692) for the erection of a public building at Florence, Ala.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MARTIN (for Mr. DANIEL) introduced a bill (S. 3693) for the relief of the heirs of John Freeland, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3694) providing for the purchase of the Temple Farm, at Yorktown, Va., and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3695) for the relief of the trustees of the Presbyterian Church of Woodstock, Shenandoah County, Va.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 3696) granting an increase of pension to Edward H. Armstrong; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. DEBOE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3697) for the relief of William S. Feland (with an accompanying paper); and

A bill (S. 3698) for the relief of Clement Calhoun.

Mr. DEBOE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3699) granting a pension to William M. Rice (with accompanying papers);

A bill (S. 3700) granting an increase of pension to Thomas McClure (with accompanying papers); and

A bill (S. 3701) granting a pension to Albert N. Jett (with accompanying paper).

Mr. McCOMAS introduced a bill (S. 3702) for the relief of the heirs of Thomas Peter; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 3703) for the relief of the heirs of Benjamin T. Hodges; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 3704) granting an increase of pension to Frederick E. Rogers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 3705) for the relief of Harrison Loring; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3706) granting an increase of pension to Enoch Bolles;

A bill (S. 3707) granting a pension to Frank H. Keith; and

A bill (S. 3708) granting a pension to Nannie M. Kimberly.

Mr. BURROWS introduced a bill (S. 3709) to provide for the payment of a bounty to District of Columbia volunteers of April, 1861; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 3710) for the relief of the State of California; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3711) relating to rights of way through certain parks, reservations, and other public lands, and authorizing the granting of permits and easements therein; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BURTON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3712) granting an increase of pension to Thomas Hislap;

A bill (S. 3713) granting an increase of pension to John Clay;

A bill (S. 3714) granting a pension to Margaret J. Verbiskey;

A bill (S. 3715) granting an increase of pension to Henry Weaver;

A bill (S. 3716) granting an increase of pension to John M. Hartnett;

A bill (S. 3717) granting an increase of pension to Thomas Hooney;

A bill (S. 3718) granting an increase of pension to Z. A. Wilson;

A bill (S. 3719) granting an increase of pension to James H. Devin;

A bill (S. 3720) granting an increase of pension to James H. Asher;

A bill (S. 3721) granting a pension to John Carr;

A bill (S. 3722) granting an increase of pension to Oxley Johnson;

A bill (S. 3723) granting an increase of pension to Henry C. Rowley;

A bill (S. 3724) granting a pension to George W. McKenzie;

A bill (S. 3725) granting an increase of pension to William D. Gault;

A bill (S. 3726) granting an increase of pension to Andrew J. Stewart;

A bill (S. 3727) granting an increase of pension to Orren D. Lemert;

A bill (S. 3728) granting an increase of pension to Joseph Page; and

A bill (S. 3729) granting a pension to Terressa Jane Hoyt.

Mr. BARD introduced a bill (S. 3730) granting an increase of pension to Jonas Olmstead; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BACON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3731) for the relief of Miss Honora Ryan;

A bill (S. 3732) for the relief of the heirs of Elias Weaver;

A bill (S. 3733) for the relief of George H. Hogan; and

A bill (S. 3734) for the relief of Edward Haile, surviving partner of Savage & Haile (with an accompanying paper).

Mr. BACON introduced a bill (S. 3735) for the erection of a public building at Macon, Ga.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. ALDRICH introduced a bill (S. 3736) granting an increase of pension to William A. Arnold; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3737) for the relief of the legal representatives of Gardner & Lake; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 3738) for the relief of the estate of George W. Lawrence, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 3739) granting a pension to Thomas M. Moore; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3740) granting a pension to Luther B. Paxton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 3741) to grant the right of way through Oklahoma Territory, including the Osage Reservation, and the Indian Territory to the Missouri, Kansas and Oklahoma Railroad Company, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MITCHELL introduced a joint resolution (S. R. 53) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; which was read twice by its title, and referred to the Committee on Woman Suffrage.

#### AMENDMENT TO PHILIPPINE TARIFF BILL.

Mr. FORAKER submitted an amendment intended to be proposed by him to the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes; which was ordered to lie on the table, and be printed.

#### CALIFORNIA'S MEMORIAL FOR CHINESE EXCLUSION.

Mr. PERKINS submitted the following resolution; which, with the accompanying papers, was referred to the Committee on Printing:

*Resolved*, That there be printed in pamphlet form 1,000 copies of California's memorial to the President and the Congress of the United States, praying for the reenactment of the Chinese-exclusion law, adopted by the Chinese-exclusion convention, called by the board of supervisors of the city and county of San Francisco, held at Metropolitan Temple, San Francisco, Cal., November 21 and 22, 1901, 500 copies to be for the use of the Senate and 500 copies to be for the use of the House of Representatives.

#### REPORTS ON INTEROCEANIC CANALS.

Mr. TURNER. Mr. President, by request of the chairman of the Committee on Interoceanic Canals, the Senator from Alabama [Mr. MORGAN], I call the attention of the Senate to the fact that there are no copies now in the document room of Report No. 1 of his committee of the present session of Congress or of Report No. 1337 of the Fifty-sixth Congress, and I ask, at his request, for a reprint of these documents.

The PRESIDENT pro tempore. The Senator from Washington, from the Committee on Interoceanic Canals, asks unanimous consent for a reprint of Report No. 1 of the present Congress and Report No. 1337 of the Fifty-sixth Congress. Is there objection? The Chair hears none, and it is so ordered.

#### CONSIDERATION OF CALENDAR ON FRIDAY.

Mr. GALLINGER. Mr. President, an order has been made for the delivery of eulogies on Friday next at 4 o'clock. I rise to ask unanimous consent that at 3 o'clock on that day an hour may be given to the consideration of the Calendar, unobjected private pension bills, and bills to correct the military records of soldiers.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that on Friday next at 3 o'clock one hour may be devoted to the consideration of unobjected pension bills and bills to correct military records. Is there objection? The Chair hears none, and it is so ordered.

#### PENSIONS TO SURVIVORS OF INDIAN WARS.

Mr. MITCHELL. Mr. President, I ask unanimous consent at this time that the Senate proceed to the consideration of Senate bill 640, which I think will lead to no debate. It has been passed by the Senate three or four times heretofore.

Mr. LODGE. I am not going to object to the Senator's bill, but I give notice that when that bill shall have been disposed of I shall then move to proceed to the consideration of the Philippine tariff bill.

The PRESIDENT pro tempore. The Senator from Oregon asks unanimous consent for the present consideration of a bill, which will be read for the full information of the Senate, subject to objection.

The Secretary proceeded to read the bill (S. 640) to extend the provisions, limitations, and benefits of an act entitled "An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July 27, 1892; but before concluding, was interrupted by—

Mr. ALDRICH. Mr. President, it will be impossible to pass that bill by unanimous consent. I think it had better go over.

The PRESIDENT pro tempore. The Senator from Rhode Island objects.

Mr. MITCHELL. I hope the Senator from Rhode Island will



not object to the consideration of the bill. It has heretofore passed the Senate three or four times; it has been reported unanimously from the Committee on Pensions; and there is no more meritorious bill pending in the Senate to-day than this very bill.

Mr. ALDRICH. But, confessedly, it will take several million dollars a year out of the Treasury if it should become a law, and it certainly ought not to be passed without explanation and without debate.

The PRESIDENT pro tempore. The Senator from Rhode Island objects.

Mr. MITCHELL. I ask that the objection which has been made may not prejudice the bill, but that it may retain its place on the Calendar.

Mr. ALDRICH. That is all right.

The PRESIDENT pro tempore. The bill will retain its place on the Calendar.

Mr. GALLINGER. Mr. President, before that matter passes from the consideration of the Senate I want to correct a suggestion I made to the Senator from Rhode Island [Mr. ALDRICH]. He asked me quietly how much this bill would probably cost the Government, and I think I suggested two or three million dollars. I wish to say that several years ago, when a report was made by the chairman of the Committee on Pensions, it was then ascertained that the cost for the first year—and these are the very figures supplied by the Commissioner of Pensions—would be approximately \$730,000; but many of these are very old men and a good many have died since then. I should think it likely that it might cost half a million dollars the first year, and that it would be wiped out in the course of five or six years.

Mr. MITCHELL. If the bill should go over to another session, it would cost nothing. I hope the Senator from Rhode Island will look into the bill.

Mr. ALDRICH. I will examine it.

Mr. MITCHELL. If the Senator does examine it, I think he will withdraw his objection.

#### PRESIDENTIAL TERM.

Mr. HOAR. I desire to give notice that at some early day, without undue interruption of the existing business, I shall ask the Senate to take up the constitutional amendment reported this morning, changing the time for the termination of the Presidential term and the terms of Senators and Representatives.

A similar joint resolution passed the Senate once, and, I think, two or three times before. It is quite important, as it must be submitted to the State legislatures, that it should go to the other House very soon. I will not fix any time now, but I will at an early day, probably at some time in the last few days of the present week, ask to have the joint resolution taken up for consideration.

#### PHILIPPINE TARIFF BILL.

Mr. LODGE. I move that the Senate proceed to the consideration of the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Massachusetts, that the Senate proceed to the consideration of what is known as the Philippine tariff bill.

The motion was agreed to.

Mr. COCKRELL. Could not the Senator from Massachusetts allow us to have half an hour or an hour on the Calendar regularly? There are many Senators who desire the consideration of bills.

Mr. LODGE. I dislike to refuse anything the Senator from Missouri asks, and I should be glad to get to the Calendar, but until this bill is moved on—I yielded on Friday, when we adjourned over, and I think this bill ought to be promptly disposed of—I can not yield to any request.

#### PUBLIC BUILDING AT SPOKANE, WASH.

Mr. TURNER. I ask the Senator from Massachusetts [Mr. LODGE], before proceeding with the discussion of the Philippine tariff bill, to extend his good nature to the point of consenting to the consideration of a bill which will give rise to no debate. It is a short bill.

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. LODGE. The Senator from Washington has the floor on the Philippine tariff bill, and, of course, I make no objection.

Mr. TURNER. I ask unanimous consent for the present consideration of the bill (S. 1447) providing for the erection of a public building at the city of Spokane, in the State of Washington.

There being no objection, the Senate, as in Committee of the Whole, proceeded to the consideration of the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use

and accommodation of the United States post-office and other governmental offices in the city of Spokane and State of Washington, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, not to exceed the sum of \$300,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall within thirty days after such examination make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed \$6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the purchase of a site and the erection of a public building thereon at Spokane, in the State of Washington."

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9315) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for prior years, and for other purposes; recedes from its disagreement to the amendments of the Senate numbered 1, 71, 72, 73, 74, 75, 76, and 77, and agrees to the amendment of the Senate numbered 78, with an amendment; in which it requested the concurrence of the Senate.

#### URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I ask the Chair to lay before the Senate the action of the House of Representatives on the urgent deficiency appropriation bill.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives receding from its disagreement to the amendments of the Senate to the bill (H. R. 9315) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for prior years, and for other purposes, numbered 1, 71, 72, 73, 74, 75, 76, and 77, and receding from its disagreement to amendment numbered 78 with an amendment in lieu of the amendment to insert the following:

And the claims of like character arising under the act of Congress of July 27, 1891 (12 Stat., p. 276), and joint resolution of March 8, 1892 (12 Stat., p. 615), as interpreted and applied by the Supreme Court of the United States in the case of the State of New York against the United States, decided January 8, 1896 (160 U. S. Reports, p. 598), not heretofore allowed, or heretofore disallowed, by the accounting officers of the Treasury, shall be reopened, examined, and allowed, and if deemed necessary shall be transmitted to the Court of Claims for findings of fact or determination of disputed questions of law to aid in the settlement of the claims by the accounting officers.

Mr. HALE. The amendment only defines the kind of claims. I move that the Senate concur in the amendment of the House. The amendment was concurred in.

#### PHILIPPINE TARIFF BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes.

Mr. TURNER. Mr. President, I believe that I will, at this time, conclude the introduction of documentary evidence in the great cause of human liberty versus Republican perfidy and dishonor, in order that I may proceed without further interruption to draw the deductions from the law and the facts which seem to be authorized and necessary.

On Friday last I inserted as part of my remarks a series of proclamations and decrees relating to the establishment of a revolutionary government in the Philippine Islands after the Philippine leaders had been brought back to the islands by our war ships, and I now again call attention to some of them.



One of these was Aguinaldo's proclamation, issued May 24, 1898, the very day that Aguinaldo landed at Cavite, establishing a dictatorial government. As bearing on that act, I also introduced a letter from Mr. Wildman, our consul at Hongkong, to the Secretary of State, showing that he had consulted with Aguinaldo before he left Hongkong concerning the establishment of this dictatorial government; that, in his opinion, it was necessary for Aguinaldo to proceed in that manner, and that he (Wildman) had concerted with Aguinaldo the very terms of the proclamation which Aguinaldo issued.

I also inserted the testimony of General Whittier, given before our Peace Commission at Paris, to the effect that after Aguinaldo had issued this proclamation he became discouraged because the accessions to his ranks were slow, thought of throwing up his connection with the insurrection, and was persuaded by Admiral Dewey to continue his efforts.

I also inserted a proclamation and decree extending this dictatorial and revolutionary government and laying down rules for the conduct of civil government in the several provinces of the islands. This proclamation was dated June 18, 1898.

On the 6th day of August, 1898, the representatives of the people of the islands met at Cavite, adopted a formal declaration of independence from Spain, and formally established what they then called a revolutionary government as contradistinguished from the dictatorial government which had before that been established by Aguinaldo. The papers showing these acts I also introduced into the record. This was all before the fall of Manila, and all in face of and with the knowledge of our naval and military commanders. I now want to call the attention of the Senate to a further and important act in the evolution of Filipino government.

On the 21st of January, 1899, before the adoption of the peace treaty between this country and Spain, and consequently before any pretense of the cession of the Philippines to us, the representatives of all the Christian people in all the islands of the archipelago met at Malolos, established the Philippine republic, and adopted a constitution which would be a model for any people in the world.

This act took place, as I say, on January 21, 1899. I have before me Document No. 208, of the Fifty-sixth Congress, first session, in which, commencing at page 107 of that document, I find this constitution printed in full. I shall not ask to insert it as part of my remarks because of its very great length, but I wish to call the attention of the Senate to its character and to some of its provisions. It commences thus:

We, the representatives of the Philippine people, lawfully invoked, in order to establish justice, provide for common defense, promote general welfare, and insure the benefits of freedom, imploring the aid of the Sovereign Legislator of the Universe in order to attain these purposes, have voted, decreed, and sanctioned the following

#### POLITICAL CONSTITUTION.

In the body of the instrument provision is made for establishing the executive, legislative, and judicial departments of the government, the legislative and executive departments being free and popular and their members elected by the Filipino people, and the officers of the judicial department appointed by the legislature. The first title of this constitution is in these words:

#### FIRST TITLE.—THE REPUBLIC.

ARTICLE 1. The political association of all the Filipinos constitutes a nation, the estate of which is denominated Philippine republic.

ART. 2. The Philippine republic is free and independent.

ART. 3. Sovereignty resides exclusively in the people.

#### SECOND TITLE.—THE GOVERNMENT.

ART. 4. The government of the republic is popular, representative, alterable, and responsible, and is exercised by three distinct powers, which are denominated legislative, executive, and judicial. Two or more of these powers shall never be vested in one person or corporation; neither shall the legislature be vested in one individual alone.

#### THIRD TITLE.—RELIGION.

ART. 5. The State recognizes the equality of all religious worship and the separation of the church and the state.

Then follows the bill of rights of this constitution, to which I wish to call briefly the attention of the Senate.

ART. 7. No Filipino nor foreigner shall be arrested nor imprisoned unless on account of crime and in accordance with the laws. (S. C., 4th art.)

ART. 8. Any person arrested shall be discharged or delivered over to the judicial authority within twenty-four hours following the arrest. (S. C., 4th art.)

Any arrest shall be held without effect or shall be carried to commitment within seventy-two hours after the detained has been delivered over to a competent judge.

The party interested shall receive notice of the order which may be issued within the same time. (S. C., 4th art.)

ART. 9. No Filipino can become a prisoner unless by virtue of the mandate of a competent judge.

The decree by which may be issued the mandate shall be ratified or confirmed, having heard the presumed criminal within seventy-two hours following the act of commitment. (S. C., 5th art.)

ART. 10. No one can enter the domicile of a Filipino or foreign resident in the Philippines without his consent, except in urgent cases of fire, flood, earthquake, or other similar danger, or of unlawful aggression proceeding from within or in order to assist a person within calling for help.

Outside of these cases, the entrance in the domicile of a Filipino or foreign resident of the Philippines and the searching of his papers or effects can only be decreed by a competent judge and executed during the day.

ART. 14. No Filipino shall be prosecuted nor sentenced, unless by a judge or tribunal to whom, by virtue of the laws which precede the crime, is dele-

gated its cognizance, and in the form which the latter prescribe. (S. C., 10th art.)

ART. 15. Any person detained or imprisoned without the legal formalities, unless in the cases provided in this constitution, shall be discharged upon their own petition or that of any Filipino.

The laws shall determine the form of proceeding summarily in this case, as well as the personal and pecuniary penalties incurred by him who may order, execute, or cause to be executed the illegal detention or imprisonment.

ART. 16. No person shall be deprived temporarily or permanently of his property or rights, nor disturbed in the possession of them, unless by virtue of a judicial sentence. (S. C., 10th art.)

ART. 19. No Filipino who may be in the full enjoyment of his civil and political rights shall be hindered in the free exercise of the same.

ART. 20. Neither shall any Filipino be deprived of:

1. The right of expressing liberally his ideas and opinions, either by word or by writing, availing himself of the press or of any other similar means.

2. The right of associating himself with all the objects of human life which may not be contrary to public morality; and, finally,

3. Of the right to direct petitions, individually or collectively, to the public powers and to the authorities.

ART. 23. Any Filipino can found and maintain establishments of instruction or of education, in accordance with the provisions which are established.

Popular education shall be obligatory and gratuitous in the schools of the nation. (S. C., 12th art.)

ART. 28. The enumeration of the rights granted in this title does not imply the prohibition of any other not expressly delegated.

It is impossible for any person to read this admirable charter of government without coming to the conclusion that the men who framed it were well fitted for self-government. In the division of governmental powers and in the character of the powers conferred on the several coordinate departments of the government it is modeled after our own Constitution and shows close and intelligent study of that instrument. In its just appreciation of civil and religious liberty, and in the provisions for the securing of the same, and in the safeguards thrown around person and property, as well as in the provisions made in the interest of education, it shows an advanced conception of liberty and of rational government of which any people in the world might well be proud.

This constitution established by the Filipinos was not a mere paper constitution, as has been claimed, nor was the republic which they established a shadowy and intangible republic.

At the time the treaty of peace with Spain became of force this constitution and this republic were then and for months before that time had been receiving the hearty, loyal, enthusiastic support of over 6,000,000 Christian people in the islands.

So far as the island of Luzon is concerned, which contains over 4,000,000 of these Christian people, I find the fact which I have stated established by a report made to Admiral Dewey by two naval officers—Leonard and Wilcox—who spent the months of September and October, 1898, traveling through the island of Luzon, and who reported to the Admiral that the revolutionary government of the Filipinos was maintaining peace and order there, and was receiving the loyal support of all the people of that island outside of the city of Manila.

Mr. Sargent, in a series of magazine articles published at a later period, amplified the facts stated in this report to Admiral Dewey. The articles, as well as the report, are printed here as Document No. 66.

As to the island of Panay, which has more than a million of these Christian people, I find the fact which I have stated established by the correspondence between General Miller, the commandant of our forces before Iloilo, and the officials of the revolutionary government then in possession of that island, who held General Miller with his troops on board of his vessels in front of that island for more than seventy days, declining to permit him to take possession of the island in the name of the United States, because they claimed that the Filipino people had established their own government, which was in possession of the island, and that to permit the United States to take possession of it would be in derogation of the authority of that government.

I find the same thing established as to the island of Cebu by the correspondence had with the native officials when our naval force appeared before that island and undertook to take possession of it. The authorities of the revolutionary government there protested stoutly against our Government taking possession of that island, because they said it was in the possession of and owed its allegiance to the Filipino Republic, and to permit the United States to take possession would be in derogation of the rights of that Republic.

I shall not read this correspondence nor these letters of Messrs. Sargent and Wilcox, nor their report to Admiral Dewey, but the parts of the letters of Leonard and Wilcox and of their report which I wish inserted are found in Senate Document 66, at pages 1, 2, 5, 6, 9, 10, 11, 15, 16, 23, 23, 27, 36, 41, 42. The correspondence in front of Iloilo is found in Senate Document No. 208, commencing at page 52 of that document. The correspondence before Cebu is also found in Document 208, at page 148.

I ask leave of the Senate to include in my remarks extracts from these several documents without reading them.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and permission is granted.

MR. TURNER. Mr. President, if there was any doubt about the effect of this documentary proof which I have offered, it would



be set at rest by what I shall now read to the Senate, namely, a part of the report of General Otis to the Adjutant-General for the year 1899. In that report, commencing at page 75, speaking about the Filipino insurgent government, General Otis says:

Repeated efforts were made to secure some mark of recognition for their government from the American authorities, some of which appeared to be quite cunningly devised. I was addressed by so-called ministers of state on diplomatic subjects, and was visited by accredited members of the Malolos government.

The various foreign consuls resident in Manila were officially informed by this Government of its proceedings and furnished with copies of its so-called decrees. Never since the time Aguinaldo returned to Cavite in May of 1898 and placed himself under the masterful spirit of Mabini had he the slightest intention to accept the kind offices and assistance of the United States, except as they might be employed to hold Spain throttled while he worked the scheme of self-aggrandizement. His success was not in the least astonishing, as after the various islands had driven out the few remaining and discouraged soldiers of their openly declared enemy, they naturally turned to Luzon for some form of central government, the islands of the south being well aware of their inability to maintain successful separate and distinct political establishments.

The crude one in process of formation in central Luzon offered itself through its visiting agents and was accepted in part (notwithstanding race animosities and divergent business interests) and very probably because no other alternative was offered. The eight months of opportunity given the ambitious Tagalo by the hold on Spain which the United States maintained was sufficient also for him to send his troops and designing men into the distant provinces and hold the unarmed natives in subjection while he imposed military authority, and thus in December, 1898, we find in northern and southeastern Luzon, in Mindoro, Samar, Leyte, Panay, and even on the coast of Mindanao and in some of the smaller islands, the aggressive Tagalo, present in person, and whether civilian or soldier, supreme in authority.

The islands mentioned by General Otis in this report where the ambitious Tagalo was found to be in supreme and undisputed authority and control are Mindoro, with a population of 70,296; Samar, with a population of 250,062; Leyte, with a population of 285,495; Mindanao, with a population of 191,802; Panay, with a population of 1,052,586; Luzon, with a population of 4,467,982; making a total of 6,317,982 people.

It is idle for anybody to say that these people are savages, or that they are not reasonably well fitted for self-government. A claim of that kind is a dishonorable imputation upon the United States, because she employed these people as her allies in the war with Spain. Moreover, it is conclusively shown to be untrue by the reports of our officers there, from some of which reports I have already introduced excerpts, and from all of which, or nearly all, I might quote if time and space permitted; but I will content myself on that point with asking leave to insert in the RECORD, without reading, an article by Howard W. Bray, who for fourteen years was a resident of the Philippine Islands, and was well acquainted with the people, their character, and their capabilities, which letter I find in Document No. 62, at page 349.

The PRESIDING OFFICER (Mr. McCOMAS in the chair). Is there objection to the request of the Senator from Washington? The Chair hears none, and leave is granted.

Mr. TURNER. Mr. President, the evidences I have now produced show that at the time of the outbreak of our war with Spain the Filipino people were themselves carrying on a struggle against Spain and that back of and behind that struggle was the desire of the Filipinos for independence, and that our naval, military, and diplomatic officers, being aware of these facts, with the knowledge of the higher heads of Government, incited that people to continue and to augment their struggle and to assist us in expelling Spain from the archipelago. Not a word, or a syllable, or a whisper was ever communicated to them that we ourselves harbored designs inimical to their independence. A number of our agents gave them what, under the circumstances, must be considered as most unequivocal declarations to the contrary. Others were sedulous that no word or letter should be written or spoken to the contrary, even after they had become aware that we did in fact harbor such designs.

Knowing well what their purpose was, we brought their leaders back to the islands in our war ships. We furnished them and their people with money and arms and equipments and munitions of war. We urged them to rise, to organize, to fight, and to die in behalf of Philippine liberty and independence. And they did fight and die in that cause to such purpose that they had killed or captured or driven within the defenses of the city of Manila every Spanish soldier on the island, with a few insignificant exceptions, before the arrival there of a single, solitary American soldier.

After the arrival of our forces we cooperated with them in pushing the siege of Manila. We shared with them the lines of circumvallation which they had drawn and intrenched around that city. Our soldiers stood shoulder to shoulder with theirs in skirmish and in battle. Our blood mingled with theirs on the ground around that city, spilled in a common struggle, and finally, largely through their efforts and not ours, as a result of their victorious achievements before we even appeared upon the ground, the city of Manila surrendered, and the power of Spain in those islands was broken and destroyed and gone forever.

We have had controversy whether the Filipino people technically, in an international sense, were our allies in the war with Spain. I care nothing about that, although undoubtedly, in my

opinion, they were our allies in every sense of the word. But there is one thing about which there has never been any controversy and about which there can be no controversy. We did seek their aid in the war with Spain. They did give us their aid in that war. They were ignorant of any purpose on our part inimical to their aspirations. We, on the other hand, knew full well what their aspirations were, and that they were nothing short of or less than full and complete independence for the Filipino people.

This being so, is it not monstrous and atrocious and unheard of that we should seek to seize their country, without their consent and against their protest, as the spoil of the war with Spain—their war as well as ours? No nation in all the history of the world ever before did such an act. Show me one, and I will withdraw all I have said on this subject. It can not be done.

The truth is that the leaders of the Republican party have dishonored the nation in their greed for power and spoils, and they have been engaged ever since in endeavoring to lull its conscience to sleep with the false and blasphemous pretense that they were serving Almighty God by advancing liberty and religion.

Instead of advancing liberty they have struck it the most damaging blow that it has received since it first found a foothold on the American continent. They have stultified all its pretensions and have weakened its hold on the affections of mankind. They have made it possible to say of this nation, for more than a century the exemplar of liberty throughout the world—

Alas! could she but fully, truly, know  
How her great name is now throughout abhorred;  
How eager all the earth is for the blow  
Which shall lay bare her bosom to the sword;  
How all the nations deem her their worst foe,  
That worse than worst of foes, the once adored  
False friend, who held out freedom to mankind,  
And now would chain them to the very mind.

Liberty from this time forth will advance slowly if it does not retrograde. And if the leaders of the Republican party be permitted to revolutionize our Government by ingrafting on it the principles of imperialism involved in colonial conquest and colonial government, liberty not only will not advance, but it will retrograde, and will involve in irremediable ruin and disaster free institutions everywhere—in Asia, in Europe, in Africa, and in America. And if they can have their own way they will revolutionize the Government. They have apparently lost all respect for the principles of liberty which animated the fathers and which lie at the root of our free institutions. They care for nothing, I am sorry to say, except spoils and power, and they represent nothing else except as the result of false pretenses.

But the people of this nation are not debauched if they are. They have deluded and deceived the people for now this long time, but they can not continue to do so indefinitely. Abraham Lincoln, who would not know one of these leaders as a Republican if he could come back to earth and should meet him in the middle of the street, declared that it was possible to fool some of the people all the time and all of the people some of the time, but that it was not possible to fool all the people all of the time. There will come an awakening some time, be assured of that, and the rapid trend of events convinces me that the day is not far distant. If I did not believe so I should despair of my country. When that day comes and the giant rises from his sleep, he will break the Liliputian bonds with which you have encompassed him like rotten threads and will sweep you away from his temple as the wind sweeps away a devouring plague of locusts. All hail the day! May it come soon, and may it be long before the giant sleeps again.

I desire now to look briefly at the aspect in which we have presented ourselves to the world in this Filipino business under the principles of international law; and I say, in the light of those principles, that we are absolutely destitute of the slightest particle of legal right in the Philippine Archipelago and have been so ever since our contest with the Filipinos began.

Our war there is a war of conquest, pure and simple; the conquest of an allied and friendly people, of a free people, of a republican people, who but for our action would now be enjoying in peace and security institutions as free and liberal as those which we ourselves enjoy.

It has been argued that we acquired title to the Philippine Archipelago by conquest from Spain, but that is absolutely untrue. Our commissioners at Paris while negotiating the peace treaty investigated that question, and they informed the President of the United States in a dispatch, which I shall now read to the Senate, that that contention could not be maintained consistently with the principles of international law. I find that dispatch in Senate Document No. 148, Fifty-sixth Congress, second session, page 40:

*Mr. Day to Mr. A. de.*

[Telegram.]

UNITED STATES PEACE COMMISSION,  
Paris, November 3, 1898—10 a. m.

(For the President.—Special.)

After a careful examination of the authorities, the majority of the Commission are clearly of the opinion that our demand for the Philippine Islands can not be based on conquest.



When the protocol was signed Manila was not captured, siege was in progress, and capture made after the execution of the protocol. Captures made after agreement for armistice must be disregarded and status quo restored as far as practicable. We can require cession of Philippine Islands only as indemnity for losses and expenses of the war. Have in view, also, condition of islands, the broken power of Spain, anarchy in which our withdrawal would leave the islands, etc. These are legitimate factors. Have written fully.

Thursday, 11.30 morning.

DAY.

This position taken by our peace commissioners is amply sustained by all the writers on international law. I shall not detain the Senate by an extended examination of the works on that subject, but shall content myself with reading briefly from Halleck, at pages 777 and 778, sections 2, 3, and 23:

SEC. 2. We will here consider the question, When do the rights of military occupation begin, or how are we to fix the date of a conquest? Bouvier defines a conquest to be "the acquisition of the sovereignty of a country by force of arms, exercised by an independent power, which reduces the vanquished to the submission of its empire." It follows, then, that the rights of military occupation extend over the enemy's territory only so far as the inhabitants are vanquished or reduced to submission to the rule of the conqueror.

Thus, if a fort, town, city, harbor, island, province, or particular section of country belonging to one belligerent is forced to submit to the arms of the other, such place or territory instantly becomes a conquest, and is subject to the laws which the conqueror may impose on it; although he has not yet acquired the plenum dominium et utile, he has the temporary right of possession and government. As this temporary title derives its validity entirely from the force of arms on the one side and submission to such force on the other, it necessarily follows that it extends no further and continues no longer than such subjugation and submission extend and continue. Thus, if one belligerent take possession of a port, or town, or province of the other, he can not, therefore, pretend to extend his government and laws over places or provinces which he has not yet reduced to submission, or by reason of a particular possession to claim a general control and authority.

By occupying a port of an enemy's coast we have a right, so long as we retain its possession, to exclude neutral vessels from such port or admit them on such terms as to us may seem fit and proper, but we can not exclude neutral vessels or impose our regulations upon neutral commerce in ports of the enemy which are not in our possession. To extend the rights of military occupation or the limits of conquest by mere intention, implication, or proclamation would be establishing a paper conquest infinitely more objectionable in its character and effects than a paper blockade.

#### Section 3:

It must not be inferred, from what has just been said, that the conqueror can have no control or government of hostile territory unless he actually occupies it with an armed force. It is deemed sufficient that it submits to him and recognizes his authority as a conqueror, for conquests are in this way extended over the territory of an enemy without actual occupation with armed force. But so much of such territory as refuses to submit, or to recognize the authority of the conqueror, and is not forcibly occupied by him, can not be regarded as under his control or within the limits of his conquest.

I read further from this same author, at page 799, section 23:

SEC. 23. But suppose war to be declared and actually commenced, and that one of the belligerents has made manifest his intention to effect the permanent acquisition of a particular portion of the territory of the other, which intention is afterwards accomplished by actual conquest, and that after the declaration of such intention, and while preparation was making to carry it out, the original owner should alienate that territory, in whole or in part, is the conqueror bound to regard such alienation as a valid transfer, or may he disregard it in toto as being an illegal attempt to deprive him of the rights of war?

In other words, did not his avowed determination to effect the permanent acquisition of such territory, his preparation to make the conquest, and his ability to effect it, as proved by the result, give to the conqueror some inchoate or inceptive right to the territory subsequently conquered, or did they not at least suspend the right of the original owner to alienate it? In order to obtain a satisfactory solution of this question, we recur to fundamental principles. The rights of conquest are derived from force alone. They begin with possession and end with the loss of possession. The possession is acquired by force, either from its actual exercise or from the intimidation it produces. There can be no antecedent claim or title from which any right of possession is derived; for if so it would not be a conquest. The assertion and enforcement of a right to possess a particular territory do not constitute a conquest of that territory. By the term conquest we understand the forcible acquisition of territory admitted to belong to the enemy.

Since the peace protocol between the United States and Spain was signed on the 12th day of August, 1898, and the surrender of the city of Manila to us did not take place until the 13th day of August, one day thereafter, it follows necessarily that our possession of that city must be referred to the peace protocol and not to any conquest effected by its capture from the Spanish forces. But for the peace protocol, which provided that it should be given into our possession and retained by us pending the negotiation of the definite treaty of peace, we would have been compelled to return it to Spain, and thereby restore the status quo. But inasmuch as the protocol contemplated our possession, we continued to hold it as a pledge for the good faith of Spain in going forward and carrying out, under the terms of the protocol, the peace for which that protocol provided.

Our sovereignty, then, if we have any sovereignty there at all, did not accrue or commence until the treaty of Paris was ratified by the Senate of the United States, and thereby came to have force and effect; and that event did not occur until the 5th day of February, 1899. Prior to that date no right of ours under international law, except the right to hold the city of Manila as a pledge, which was really holding it under the right of Spain, had accrued in those islands. The effect of this was that the Philippine insurgents were at entire liberty, so far as any intervening

rights of ours went, to continue their revolutionary war, to drive Spain from the islands, and to set up and maintain their own independent government. This, as we have seen, they did so.

On the 5th day of February, 1899, Spain did not hold a foot of soil in the entire archipelago. On that day every foot of soil in the islands, outside of those southern islands which professed the Mohammedan religion and which never did acknowledge the sovereignty of Spain any more than they now acknowledge our sovereignty, was in the possession of and giving cheerful allegiance to the Philippine republic. As we have seen, that republic was established on the 21st day of January, 1899, taking the place of the revolutionary government which was established on the 23d day of June, 1898.

Is there anyone in this country or in this body who will say that that people did not have the right to go on and throw off the sovereignty of Spain and to take that sovereignty to themselves, no right of ours or of any other nation having intervened to prevent them from doing so? That proposition, Mr. President, is answered by our own Declaration of Independence:

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

Who is there that would deny to that people this God-given right of revolution, declared by this sacred instrument, which marks the beginning of our own struggle for liberty and independence? Had they not suffered a train of abuses and usurpations at the hands of Spain, not indeed evincing a design to reduce them to despotism, because that had already been accomplished, but under which their property and their lives and the honor of their wives and daughters were held subject to the caprice of their merciless and lawless and tyrannical oppressors? Who is there, then, in this land of liberty that would have stayed their hands and bid them stop? No one. No one did stay or stop them or attempt to stop them. They went on with the glorious work of liberating their country in the face of our forces in the islands until long before Spain undertook to cede them to us there was not a single solitary living human being in those islands who represented or claimed to represent in that land the hated despotism of Spain.

It needed no recognition from any foreign government to establish their sovereignty and their independence. They became a nation by their own unity and their own valor. If other nations from prudential reasons declined to give them recognition, that fact could not alter their internal status or change that which had become a solemn fact in the economy of the world. Recognition has to do only with the rights and duties of the citizens of the recognizing state. It has nothing whatever to do with the respective rights of the new state and the older established states. A people become a nation when they are such in fact, and from that time they are entitled to internal sovereignty, to equal independence among the nations, and to have their right recognized and respected by all the world.

This proposition is laid down by the writers upon international law with as much force as the other proposition to which I called the attention of the Senate a few moments ago, and to sustain which I read from Halleck. Upon this proposition I beg to read from Mr. Wheaton's work on international law, at pages 31 and 32, sections 20 and 21, and also at page 39, sections 26 and 27. I send the book to the desk and ask that the Secretary may read the parts which I have indicated.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

SEC. 20. Sovereignty is the supreme power by which any state is governed. This supreme power may be exercised either internally or externally.

Internal sovereignty is that which is inherent in the people of any state, or vested in its ruler, by its municipal constitution or fundamental laws. This is the object of what has been called internal public law, *droit public interne*, but which may more properly be termed constitutional law.

External sovereignty consists in the independence of one political society in respect to all other political societies. It is by the exercise of this branch of sovereignty that the international relations of one political society is maintained, in peace and war, with all other political societies. The law by which it is regulated has, therefore, been called external public law, *droit public externe*, but may more properly be termed international law.

The recognition of any state by other states and its admission into the general society of nations may depend, or may be made to depend, at the will of those other states, upon its internal constitution or form of government or the choice it may make of its rulers. But whatever be its internal constitution or form of government, or whoever may be its rulers, or even if it be distracted with anarchy, through a violent contest for the government between different parties among the people, the state still subsists in contemplation of law until its sovereignty is completely extinguished by the final dissolution of the social tie or by some other cause which puts an end to the being of the state.

SEC. 21. Sovereignty is acquired by a State either at the origin of the civil



society of which it is composed or when it separates itself from the community of which it previously formed a part and on which it was dependent. (a) This principle applies as well to internal as to external sovereignty. But an important distinction is to be noticed in this respect between these two species of sovereignty. The internal sovereignty of a State does not, in any degree, depend upon its recognition by other States. A new State springing into existence does not require the recognition of other States to confirm its internal sovereignty. The existence of the State *de facto* is sufficient in this respect to establish its sovereignty *de jure*. It is a State because it exists.

Thus the internal sovereignty of the United States of America was complete from the time they declared themselves "free, sovereign, and independent States," on the 4th of July, 1776. It was upon this principle that the Supreme Court determined, in 1808, that the several States composing the Union, so far as regards their municipal regulations, became entitled, from the time when they declared themselves independent, to all the rights and powers of sovereign States, and that they did not derive them from concessions made by the British King. The treaty of peace of 1782 contained a recognition of their independence, not a grant of it. From hence it resulted that the laws of the several State governments were, from the date of the Declaration of Independence, the laws of sovereign States, and as such were obligatory upon the people of such State from the time they were enacted. It was added, however, that the court did not mean to intimate the opinion that even the law of any State of the Union, whose constitution of government had been recognized prior to the 4th of July, 1776, and which law had been enacted prior to that period, would not have been equally obligatory. (b)

The external sovereignty of any State, on the other hand, may require recognition by other States in order to render it perfect and complete. So long, indeed, as the new State confines its action to its own citizens, and to the limits of its own territory, it may well dispense with such recognition; but if it desires to enter into that great society of nations, all the members of which recognize rights to which they are mutually entitled and duties which they may be called upon reciprocally to fulfill, such recognition becomes essentially necessary to the complete participation of the new State in all the advantages of this society. Every other State is at liberty to grant or refuse this recognition, subject to the consequences of its own conduct in this respect, and until such recognition becomes universal on the part of the other States the new State becomes entitled to the exercise of its external sovereignty as to those States only by whom that sovereignty has been recognized.

Mr. TURNER. Now I ask the Secretary to turn to page 39, sections 26 and 27.

The Secretary read as follows:

SEC. 26. If the revolution in a State be effected by a province or colony shaking off its sovereignty, so long as the independence of the new State is not acknowledged by other powers it may seem doubtful, in an international point of view, whether its sovereignty can be considered as complete, however it may be regarded by its own government and citizens. It has already been stated that whilst the contest for the sovereignty continues, and the civil war rages, other nations may either remain passive, allowing to both contending parties all the rights which war gives to public enemies, or may acknowledge the independence of the new State, forming with it treaties of amity and commerce, or may join in an alliance with one party against the other.

In the first case neither party has any right to complain so long as other nations maintain an impartial neutrality and abide the event of a contest. The two last cases involve questions which seem to belong rather to the science of politics than of international law; but the practice of nations, if it does not furnish an invariable rule for the solution of these questions, will at least shed some light upon them. The memorable examples of the Swiss Cantons and of the seven united provinces of the Netherlands, which so long levied war, concluded peace, contracted alliances, and performed every other act of sovereignty before their independence was finally acknowledged—that of the first by the German Empire and that of the latter by Spain—go far to show the general sense of mankind on this subject.

The acknowledgment of the independence of the United States of America by France, coupled with the assistance secretly rendered by the French court to the revolted colonies, was considered by Great Britain as an unjustifiable aggression, and, under the circumstances, it probably was so. (a) But had the French court conducted itself with good faith and maintained an impartial neutrality between the two belligerent parties, it may be doubted whether the treaty of commerce, or even the eventual alliance between France and the United States, could have furnished any just ground for a declaration of war against the former by the British Government. The more recent example of the acknowledgment of the independence of the Spanish-American provinces by the United States, Great Britain, and other powers, while the parent country still continued to withhold her assent, also concurs to illustrate the general understanding of nations that where a revolted province or colony has declared and shown its ability to maintain its independence the recognition of its sovereignty by other foreign States is a question of policy and prudence only.

SEC. 27. This question must be determined by the sovereign legislative or executive power of these other states, and not by any subordinate authority or by the private judgment of their individual subject. Until the independence of the new state has been acknowledged, either by the foreign state where its sovereignty is drawn in question, or by the government of the country of which it was before a province, courts of justice and private individuals are bound to consider the ancient state of things as remaining unaltered.

Mr. TURNER. Mr. President, there is absolutely no escape from the logic of this law as applied to the undisputed facts in the case. For three years now we have been waging a war of conquest against an independent republic, a war destitute of the slightest foundation of right under international law, a war which calls aloud for the reprobation of the God of nature, under whose laws all nations repose for their defense and security, and which will receive His reprobation, rest assured of that, if not by bringing our present purposes to naught, then, sooner or later, some time in our history, by turning our victory to Dead Sea fruit upon our lips.

A nation can not more than individuals avoid the self-wounds inflicted by moral transgressions, and it does not require us to look deeply into the future to see those from which we shall suffer as the result of this transgression. Ten million discontented and rebellious subjects suffering from wrongs which have sunk deeply into their hearts is not a cheerful prospect to begin with. The further fact that they are 7,000 miles distant, will have no disposi-

tion to defend themselves, and that we can not defend them in case of war with any first-class power is a still less cheerful prospect for us to contemplate.

But these facts sink into insignificance beside the wound inflicted upon our national organic structure and upon the traditional principles of liberty which we have inherited from our forefathers, which have followed us through all of our growth, and which are a more precious inheritance to our children than all the lands and all the people and all the wealth of all the lands and all the people in the world outside our own land and outside the 80,000,000 liberty-loving American people who inhabit that land.

Oh, my Republican friends, what a tangled skein you have woven for us in the Orient as the result of your policy there! I conjure you to unravel that skein while there is yet time. I conjure you not alone in the name of the hapless Filipinos who trusted you and whose land you have drenched with blood, but I conjure you in the name of 80,000,000 American people and their children and their children's children to stay your hand lest their precious liberties be destroyed along with those of the unhappy people devoted by you to conquest and subjugation and spoliation.

I have heard much, since this Filipino business began, about the obligations of honor which required us to pursue the course we have pursued in the Philippines, much about the great trust that had been devolved upon us there as the result of the war with Spain. I have never, however, heard but one man undertake to analyze those obligations of honor and undertake to defend our course there after such an analysis, and that was the distinguished senior Senator from Wisconsin [Mr. SPOONER], in a speech which he delivered in this Chamber two years ago next June, just before the commencement of the Presidential campaign of that year.

His analysis of the reasons for our action was this: First, that we could not honorably conclude peace with Spain and leave out any provision concerning the Philippine Islands, because, he said, that would leave the Filipinos and the Spaniards still at war, and the result would be that the Spanish forces would return to the islands, subdue the Filipinos, and continue to compel them to yield obedience to their tyrannical and arbitrary government. Second, that we could not require the Spaniards to relinquish sovereignty for the benefit of the Filipino people as we had required them to relinquish sovereignty of the island of Cuba for the benefit of the Cubans, because their pride, already too badly strained in the other terms we had imposed upon them, would have revolted, and that the result would have been a renewal of our war with them. Hence, since neither of the two alternative courses indicated was admissible, he insisted that honor required us to take the sovereignty of the islands to ourselves in order that we might, by our Government, through such course as we might in future pursue, secure the Filipino people the blessings of liberty, which they were striving to secure for themselves.

But unfortunately the claim of the inadmissibility of the first and second alternatives of the Senator fails entirely in the light of well-known facts, facts well known at least in this day, and hence his third necessary alternative is left without any foundation for its support. I agree with him that we could not honorably conclude peace and make no mention of the Filipinos, or make no mention of the Philippine Islands. But I do not agree with him that if we had done so the Filipinos could not have maintained themselves against the power of Spain. On the contrary, I say that they could have done so. The testimony of all of our military authorities there in the islands was that Spain never could have subdued the people of those islands and that they could and would have continued their struggle for independence until they had attained it.

I will call the attention of the Senate to what General Merritt said concerning the first alternative of the Senator from Wisconsin in his testimony before our peace commissioners at Paris:

Mr. GRAY. Suppose, by final treaty with Spain, we should abandon Luzon and all the Philippines, exacting such terms and conditions and guaranties as we should think necessary, and abandon them entirely, reserving only a coaling station, perhaps: what do you think they would do about it?

General MERRITT. I think in the island of Luzon they would fight to the bitter end. I have talked with a number of them, intelligent men, who said their lives were nothing to them as compared with the freedom of the country—getting rid of Spanish government.

Mr. DAVIS. Do you think Spain would be able to reduce them?

General MERRITT. No, sir.

I imagine that General Merritt, who commanded the American forces in the Philippine Islands, who received the surrender of the city of Manila, and who had in addition to his own observation the benefit of the reports of all his subordinates concerning the power and the force of the people of those islands, knows more about this proposition than does the Senator from Wisconsin, and he says that Spain never could have reduced those islands and that they would have continued to struggle to the bitter end



against the hated sovereignty of that country. Other considerations ought to have prevented us remitting the insurgents to another struggle with Spain, but not the one advanced by the Senator from Wisconsin.

How is it with the second alternative? Is it a fact that the pride of Spain had already been so badly strained by the terms imposed by us that she would have revolted and continued the war rather than to have inserted in the treaty of peace a provision relinquishing the islands for the benefit of their own people? There is not the slightest particle of evidence in anything that transpired during the negotiations between the commissioners of the respective countries which indicates anything of the kind. So far as anything appears to the contrary, Spain would just as readily have submitted to a provision in that treaty relinquishing the sovereignty of those islands as she did in the case of Cuba, just as readily as she did consent to their cession to us. Indeed, it is more than likely that she would have preferred that course if it had been proposed to her.

If she had been unwilling to do so, everybody knows that she was prostrate in the dust before us and that she would have been compelled to accept any terms, not absolutely dishonorable, that we chose to impose. It seems, therefore, that the third alternative of the Senator from Wisconsin, which is the one adopted by us, to wit, that we ourselves accept the cession of the islands, has failed of justification upon any ground stated by that Senator. There is, in truth, no ground upon which it can be justified. The speech of the Senator to which I refer was delivered just before the last Presidential campaign, and was, I imagine, largely for home consumption, because it was distributed by the hundreds of thousands throughout the United States during that campaign.

There is one other proposition in it which bears upon some things I have been discussing here, which I wish to notice for a moment, and that is that the Filipinos, if they were our allies in the war with Spain, were false and treacherous allies. The Senator founded that allegation—and it constituted a very great portion of his speech, because he rung the charge of treachery with great force from beginning to end throughout that speech—upon an anonymous letter found by our military forces in the city of Iloilo after they had taken possession of that city. The writer of that letter addressed the commander of the Spanish forces in Iloilo urging him to make common cause with the Filipinos against the Americans, and indicating in the letter that a similar communication had been made by the writer to the general commanding the Spanish forces in the city of Manila before that city surrendered.

This anonymous letter was signed in this wise, "1-1-9-6-1 M;" and the Senator from Wisconsin attributed the letter to Aguinaldo himself, because he said it was written on the private paper used at the headquarters of Aguinaldo, and because the letter "M," which followed the cabalistic figures, stood for "Miong;" that the letter "M" indicated "Miong;" and he said "Miong" was the cipher name for Emilio in the Filipino cipher. It did not seem to have occurred to the Senator that if Aguinaldo was taking this mysterious manner of communicating with our enemies, and desired to conceal his own connection with the matter, he would hardly have written upon his own paper and thus have enabled the authenticity of the letter to be traced, nor did it seem to occur to the Senator that the fact of the letter being signed "M" was not any very great reason for claiming that "M" stood for "Miong," which, upon some authority that he did not explain, he said was the cipher name of Emilio Aguinaldo.

It would be just as logical a deduction to say that the letter "M" stood for "moon," and, since it is a nursery legend that the moon is made of green cheese, that whenever our infants cry for the moon they are exhibiting an inherited appetite for that article of food. [Laughter.] Yet it was upon that flimsy evidence that the Senator from Wisconsin arraigned the Filipino people as false and treacherous to the United States from the very beginning of their connection with us in the Philippine Islands.

The fact of the matter is that they were our open, honorable allies in the war with Spain, not because they had any particular affection for the American people—for they knew nothing about the American people—but because they expected by assisting us to expel Spain from the islands that they would be enabled thereby to acquire their own independence, and they did act honorably, uprightly, and fairly with us until, after the close of the war, it became apparent that this country proposed to extend its own sovereignty over the islands and to deny their aspirations for independence. Then they very naturally and justly became hostile to us. That is all there is about that matter.

Mr. President, let us go forward and look for a moment at the manner in which we have executed this trust of government which we ravished by force and against law and morals from the Filipino people. The first step in the establishment of civil government in the islands was the abdication by Congress of the function devolved on it by the Constitution, and on it alone, to

define and create and establish the governmental institutions of our Territories, and Congress by a solemn enactment made the President of the United States the czar and autocrat of those islands, and invested him with authority, by a mere ukase, to establish such a government there as he pleased and to administer it by such instruments and agencies as he pleased. This was not the execution of a trust, but was an abandonment of it.

The President, finding this power devolved upon him, from the best of motives, I have no doubt, appointed what he called the Philippine Commission for the civil government of those islands, composed of five distinguished Americans, who have been there now for the last two years engaged in that very arduous undertaking. They were given a princely salary for their services; I have heard it stated at \$20,000 per annum, and I presume that is true.

Mr. BEVERIDGE. Only for the president of the Commission.

Mr. TURNER. And how much for the others?

Mr. BEVERIDGE. Fifteen thousand dollars.

Mr. TURNER. Fifteen thousand dollars for the others. We will say, then, \$20,000 for the president and \$15,000 each for the four others. It was not to be expected, therefore, that they would be niggardly when they came to fix the salaries of their associates and subordinates in the government of those islands. I was not disappointed, therefore, on looking through this bulky document on our tables, consisting of some 800 pages, entitled Laws and Resolutions Passed by the Philippine Commission, to find, as I had hoped to be, that they have fastened a perfect swarm of American officeholders on that desolated country and that those officeholders are now drawing from its exhausted treasury, supported entirely by the onerous taxation of its people, the enormous sum of more than \$2,000,000 per annum.

I find this fact stated in the annual report of the War Department for the fiscal year ending June 30, 1901, part 2 of the report of the Philippine Commission. According to that report there are in the civil service established by this Philippine Commission 1,172 Americans, drawing yearly salaries aggregating \$1,233,774. There are in the municipal service of the city of Manila 616 Americans, drawing a yearly sum of \$652,500, and in the judicial service there are 33 such Americans, drawing \$106,300, making a total of 1,821 American officials imported there, drawing the sum of \$1,992,584 in salaries, to say nothing of their perquisites and expenses, concerning which this report shows nothing. To this sum must be added the salaries given to our Philippine Commissioners themselves, making the amount drawn from the exhausted treasury of that desolated country over \$2,000,000.

I said at the time that extraordinary law was before the Senate for passage that it created not only a despotism in that country, but that it would lead to the robbery and spoliation of the people of the country. This appears now not only too true, but to make matters worse it appears from authentic documents before us that these officials sent over there for the government of those islands do not even conduct the government in the interest of the people of the islands. Our commissioners, honorable men as they are said to be, and I have no doubt they are, are yet the mere puppets of the executive department of the Government, and their so-called laws are not those which, on due consideration, they find required by the interest of the people of the islands, but they are such as the commissioners are told to enact by the President of the United States and the Secretary of War.

I find on looking through this compilation of the laws and resolutions of the Commission a number of instances where this Commission, appointed to enact laws for the Filipinos, has not been ashamed to spread upon the record in the very body of the laws the fact that the laws were not enacted upon their own responsibility for the interest of the people of that country, but that they were enacted because the Commission had been told to enact them from this end of the line. For instance, on page 189 I find a law providing for the establishment of the several executive departments of the government of that country, prefaced in this way:

Whereas the President of the United States, upon February 23, signed the following executive order—

An order requiring the establishment of those departments there—

Now, therefore, by authority of the President of the United States, and with the concurrence and approval of the Secretary of War first had, be it enacted by the United States Philippine Commission, that, etc.

On page 273 I find another law, the enacting clause reading thus:

By authority of the President of the United States, and with the consent of the Secretary of War first had, be it enacted by the United States Philippine Commission, that, etc.

On page 587 I find another act:

By authority of the President of the United States, and with the concurrence and approval of the Secretary of War first had, be it enacted by the United States Philippine Commission, that, etc.

And again I find another law prefaced with a whereas that the President of the United States had directed its enactment, this last enactment being found upon page 607 of the public laws and



resolutions of the Philippine Commission. I find, moreover, on looking into the history of the tariff law there, which it is the object of this law to fasten upon those people by Federal authority—because this measure that we have now under consideration adopts the tariff law enacted by the Philippine Commission—I find that even that was not enacted by the Commission upon a consideration of what the interests of the people of the Philippine Islands required, but that it was enacted after the law had been submitted to the Secretary of War, after the Secretary of War had called for an expression from every man and every corporation in this country that had anything to sell to the people of those islands, and after the tariff had been made to correspond, not to what the necessities of the people of the Philippine Islands required, but to what the interests of the manufacturers in this country required.

I wish to have the Secretary read from Senate Document No. 134, Fifty-seventh Congress, first session, being a memorandum submitted to us by the Secretary of War, showing the manner in which the information was collected upon which the tariff bill passed by the Philippine Commission was framed, how it was framed, and the considerations which were potent with those who framed it.

The Secretary read as follows:

From San Francisco came a request for a lower duty on gasoline in order to give a market for gasoline launches, stoves, and articles of like character. Exporters in New York objected to a specific classification for precious and semiprecious stones, showing that it was impossible to make a specific rate that would bear any just relation to the value of the articles, and urged the imposition of an ad valorem rate for said merchandise. An article in the New York Journal of Commerce pointed out the inequalities in the iron schedule owing to "a dogged adherence to specific rates," pointing out that apparatus and appliances for electric lighting and power pay ten times the rate prescribed for rails.

Objections were offered also to some paragraphs of the chemical schedule, and certain industries asked for a more favorable rate for articles which they manufactured. There were serious objections made both to the cotton schedule and to the provision requiring that samples be washed and dried before being appraised for duty. These objections came both from the East and the West and were given consideration in the revision made by the Department. The rate proposed for printing paper met with objections, and arguments were advanced for a low duty upon the same, as it would be an important factor in the educational development of the islands. The duty on harness and harness-makers' wares was considered high and a material reduction was urged. The specific and elaborate schedule for watch cases and movements prepared by the Commission met with serious protest, and the impracticability of making a just and equitable schedule on a specific basis was demonstrated, as watches, like precious stones, have no basis of specific valuation, aside from the price, that would be possible to apply in the assessment of an adequate duty thereon.

It was also urged that the duty on typewriters be made lower, as they, too, were educational in their influence, and ought to be given a low rate. The rate on meats, salted and in brine, as well as canned goods of all kinds, was the object of considerable correspondence with producers in the middle West and on the Pacific coast. It was urged that the duty on alcohol be made much higher, in order to prevent the importation of the same for the purpose of making a composite liquor out of the pure alcohol, to the detriment of the revenue and to the liquor sold in the archipelago.

All the correspondence received relative to the proposed tariff was briefed from time to time and forwarded to the Commission at Manila for its information. The advice and views of the collector of customs for Cuba was also requested as to a number of subjects about which it was thought that his experience would afford valuable information, and he took pains to aid in all things brought to his attention.

After the period for receiving suggestions and recommendations had elapsed the work of revision was taken up and each class, group, and paragraph was studied, and in the light of the information received some guarded changes were introduced, the most important being the introduction of a number of provisos, whereby when articles nearly equal in weight, but varying greatly in value, came under the same paragraph the specific duty was to a certain extent equalized, or made to more nearly conform to value, by stating that articles classified under such paragraph should not pay a less duty than 15 or 20 per cent, according to the nature of the goods. This it was thought would tend to equalize tariff taxes without overburdening any single article of necessary consumption and at the same time afford a material increase of revenue.

The first revision was made after a study of the tariff as a whole and in view of the suggestions offered by the commercial interests of the country. Not over 10 per cent of the paragraphs in the proposed tariff met with objections, and this may be taken as an indication of the care bestowed upon it, both by the board and the Philippine Commission.

The rates in no case, except in articles of luxury, such as sparkling wines and fine china, are high. Articles of prime necessity have been taxed lightly; those needed in the development of agriculture and for the improvement of roads and transportation have also been made low. Prohibitive rates have been avoided, and the rapid progress and development of the islands have been kept steadily in view, together with the other side of the question, that the insular government must have revenue for current expenses and for needed improvements.

After the first revision of rates by the Department the proposed tariff was sent to the appraiser of the New York custom-house, who submitted its various classes to different expert appraisers for criticism as to the descriptive language employed, for the purpose of evading, as far as possible, all ambiguous and contradictory language. The reports of the various experts were transmitted to the Department, and their suggestions were carefully considered, and, so far as it was thought best, were embodied in the tariff.

After this second revision Mr. W. Morgan Shuster, who had served as special deputy collector at Habana, Cuba, and who had been recommended to the Philippine Commission for collector of customs at Manila, was asked to go over the entire tariff and make such suggestions as his experience in the practical application of a similar tariff would suggest. This resulted in some changes in the rules for the customs treatment of textiles and in the regulations for levying duties upon containers of merchandise, as well as some minor modifications of rates in some few instances.

After all these changes had been made and approved 200 copies of the tariff, now called "Customs tariff for the Philippine Archipelago," were printed, and 100 copies forwarded to the Commission with Mr. Shuster, who

was charged with explaining the changes that had been made, with the reasons therefor, and the Commission was instructed to approve or modify by cable, and authorized to enact, promulgate, and enforce the same.

So that we see by this memorandum from the War Department that the Philippine tariff, which we are asked to approve and endorse by the bill now under consideration, was really framed in this country, not alone with a view of meeting the necessities of the people of the Philippine Islands, but largely with a view of meeting the demands of the manufacturing interests of this country, and to-day we have had laid upon our tables here Document No. 171, Fifty-seventh Congress, first session, containing 324 pages of correspondence between the War Department and the manufacturers and exporters in this country, showing the demands upon which at that time they insisted and which were largely yielded to in the drafting of the measure. Is it any wonder that the Filipinos are rebellious under such a rule?

The iniquity of this personal and autocratic government has been brought home to us forcibly by the so-called enactment of the Philippine Commission, lately sent to us by the Secretary of War for our information, defining the crimes of treason, insurrection, sedition, conspiracy to commit such crimes, seditious utterances, whether written or spoken, the formation of secret political societies, the administering or taking of oaths to commit crimes or prevent the discovering of the same, and the violation of the oath of allegiance, and prescribing the punishment therefor.

By the first section of that measure it is declared:

That every person resident in the Philippine Islands, owing allegiance to the United States or the government of the Philippine Islands, who levies war against them or adheres to their enemies, giving them aid and comfort within the Philippine Islands or elsewhere, is guilty of treason, and, upon conviction, shall suffer death, or, at the discretion of the court, shall be imprisoned at hard labor for not less than five years and fined not less than \$10,000.

Section 2 defines the offense of misprision of treason, and punishes it by imprisonment for seven years and by a fine of not more than \$1,000. Then follow the definitions of various other acts, some of which are innocent and some of which are vicious, punishments being affixed therefor; and then I come to sections 9 and 10 of this remarkable enactment.

SEC. 9. All persons who shall meet together for the purpose of forming, or who shall form any secret society, or who shall after the passage of this act continue membership in a society already formed, having for its object in whole or in part the promotion of treason, rebellion, or sedition, or the promulgation of any political opinion or policy, shall be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or both.

SEC. 10. Until it has been officially proclaimed that a state of war or insurrection against the authority or sovereignty of the United States no longer exists in the Philippine Islands, it shall be unlawful for any person to advocate orally or by writing or printing or like methods the independence of the Philippine Islands or their separation from the United States, whether by peaceable or forcible means, or to print, publish, or circulate any handbill, newspaper, or other publication advocating such independence or separation. Any person violating the provisions of this section shall be punished by a fine not exceeding \$2,000 and imprisonment not exceeding one year.

This brutal enactment, in its evident intent and purpose to bring to the scaffold every Filipino patriot who shall continue to struggle for the liberty of his country and to seal and lock up in the minds and hearts of the people, by severe penalties, their most sacred aspirations, is without a parallel in the history of modern government. It will be necessary to go back into the dark ages to find its counterpart, if even there it can be found. It is an example and a warning to us that we can not safely repose arbitrary power even in the hands of the best of men, and it is a foretaste of that rule which we ourselves must establish if we shall continue to endeavor to govern men without giving them any voice in their own government.

Since under our theory all of the Filipinos owe allegiance to the United States, it follows, if this enactment is to be enforced in the Philippine Islands, that from this time henceforth every Filipino captured with arms in his hands is to be tried for treason and either sentenced to death or a long term of imprisonment.

Who vested in the Philippine Commission the conscience of this nation in the matter of punishment, if any, to be inflicted upon the Filipino people for their refusal to recognize our authority? Even those who insist most strongly here that our sovereignty in the islands is full and complete will admit, I imagine, that there was room for a difference of opinion on that point between ourselves and the Filipinos, and will look with abhorrence on this attempt to follow the rigors of war with the ignominy of the halter and the scaffold visited on brave men whose only offense has been that they have sought to vindicate, mistakenly, if you will, the liberties of their own country.

But the most remarkable part of this enactment is found in its sections 9 and 10, which undertake to denounce as a crime, punishable with severe penalties, the meeting together in secret for the purpose of advancing or promulgating any political opinion or policy or the advocating openly, orally or in writing or print, the independence of the Philippine Islands or their separation from the United States either by peaceable or forcible means.

It should be remembered in this connection that the only occasion for the Commission to be in those islands at all, the only



authority they have to be there, is the act of Congress authorizing the President of the United States to establish civil government there whenever the insurrection shall have been suppressed; and the fact that they are there and undertaking to legislate there presupposes necessarily that the insurrection has been suppressed, at least in those parts of the islands where they are pretending to exercise jurisdiction.

In view of this, what has become of the constitutional guaranties in favor of liberty of speech and of the press, and of the right peaceably to assemble, which all the members of the Supreme Court in the recent insular cases declared accompanied our sovereignty wherever it went, no matter whether that sovereignty was partial, as claimed by some members of the court, or full and complete, as held by the majority of the court? If this atrocious violation of liberty shall be tolerated or passed by without the reprobation of Congress, it will constitute a baleful precedent which will come home to us in America sooner or later and serve as an excuse for the throttling of our own liberties.

I was sorry to see a Senator rise in his place in this body the other day and declare that he approved that measure. I do not approve it. I denounce it not only as unconstitutional, but as a relic of barbarism too black even for the most despotic and tyrannical of governments. The fact that a Senator can be found to tolerate such a breach of liberty is another evidence of the fact, so well known, that familiarity with vice makes the best of men lenient to its hideous defects and imperfections and deformities. It is only too true that the first step in an evil course is but the precursor of others which must necessarily follow. We can not avoid the evil so long as we persist in the evil course. There is but one remedy for an individual or a nation which finds its footsteps turned in such a direction, and that remedy is amendment and reformation.

In the sacred name of liberty, attacked not only in the Philippines but in this country as well and throughout the entire world besides, I demand a cessation of the autocratic and unconstitutional course into which the footsteps of this nation have been turned. We can not mitigate the errors of that course, if we would, but we can, if we will, refuse to continue to pursue that course.

That thought brings me to the substitute for the pending measure, offered by the Senator from Utah [Mr. RAWLINS], which I understand represents the sentiments of the minority of the Committee on the Philippine Islands. That substitute is a step, and a long step, in the direction of amendment and reformation in the matter of our dealings with the Philippine Islands. It preserves all the laws and rules and regulations in the islands under which revenues may be raised for the support of government there. It provides for the ultimate independence of the islands under the government of the people of the islands, and provides that we shall continue to maintain order and peace and quiet throughout the islands until, and only until, the people have had an opportunity to establish a government for themselves which can perform that duty.

In all of the speeches which have been delivered on the other side here upon the question of our rights and our duties in the Philippines I do not believe that more than two Senators have distinctly and unequivocally taken a position in favor of continuing to rule and govern the islands without the consent and against the wishes of their own people; possibly not more than one has done so. The one Senator whom I have certainly in mind is my distinguished friend from Indiana [Mr. BEVERIDGE], but I call the attention of the Senate to the fact that Mr. Dooley told us that that distinguished Senator was elected to the Senate at the age of 8, thereby reducing the average age of Senators to 93 years; and that it is not to be expected of him that he should take that rigid and ascetic view of conduct, public and private, which older and more mature Senators are supposed to and which they do, in fact, take.

Moreover, we know that at the time he made his pronouncement he had just returned from a visit to those islands, and it was not unnatural that his mind should be filled to the exclusion of common mundane things, with the voluptuous beauties which had been unfolded before his enraptured gaze in that lovely summer land—

Where the cypress and myrtle  
Are emblems of deeds that are done in their clime;  
Where the rage of the vulture, the love of the turtle,  
Now melt into sorrow, now madden to crime.

\* \* \* \* \*

Where the virgins are soft as the roses they twine,  
And all save the spirit of man is divine.

But I believe all the Senators upon the other side who have pronounced upon this question, unless possibly there be one other, have taken a very different view of the situation from that entertained by the Senator from Indiana. They have said that while they were in favor of continuing to enforce the present rule and sovereignty of our Government in those islands, it was with a

view ultimately of giving independence to the people inhabiting them. I have before me some of the expressions of Senators upon that subject.

The Senator from Minnesota [Mr. NELSON], in a speech delivered in this Chamber on the 20th day of January, 1899, took this position in a colloquy between himself and the Senator from Illinois [Mr. MASON]:

Mr. MASON. I understand the Senator to say that he is willing to protect the Filipinos from danger within and foes without, and eventually to give them independence. He claims that we will do the same that we promised to do for Cuba. Do I understand the Senator so to state?

Mr. NELSON. Certainly; when they are fit for it. Do you know anybody who has a contrary intention in the United States?

Mr. MASON. Oh, yes. (P. 836, January 20, 1899.)

I suppose Mr. MASON had in mind the Senator from Indiana [Mr. BEVERIDGE].

I find that the junior Senator from Massachusetts [Mr. LODGE], who has this bill in charge, on the 24th day of January, 1899, also made a speech upon the Philippine question which is exceedingly good reading at this time. From that speech I extract the following:

I believe that we shall have the wisdom, the self-restraint, and the ability to restore peace and order in those islands and give to their people an opportunity for self-government and for freedom under the protecting shield of the United States until the time shall come when they are able to stand alone, if such a thing be possible, and if they do not themselves desire to remain under our protection. \* \* \* During the campaign of last autumn I said in many speeches to the people of my State that I could never assent to hand those islands back to Spain; that I wanted no subject races and no vassal state, but that we had by the fortunes of war assumed a great responsibility in the Philippines; that we ought to meet it, and that we ought to give to those people an opportunity for freedom, for peace, and for self-government. (P. 959, January 24, 1899.)

On the 11th day of January, 1899, the Senator from Ohio [Mr. FORAKER] also delivered himself upon this subject, and from his speech I extract the following colloquy between himself and the Senator from Massachusetts [Mr. HOAR]:

Mr. HOAR. Does the Senator mean, if the people of the Philippine Islands think it is for their happiness to try to govern themselves, that we should withdraw the power of the United States and let them do it?

Mr. FORAKER. I think when we come to consider the question of policy with respect to the Philippines, with the conditions there existing, their feeling of friendship, or their feeling of consent or of objection, will have much to do with determining Congress in that respect. I say I do not know of anybody, from the President of the United States down to his humblest follower in this matter, who is proposing by force and violence to take and hold these islands for all time to come. That is all I can say in answer to the Senator. \* \* \*

It is for the Congress of the United States to investigate and find out about the islands of the Philippines, what kind of inhabitants they may have, whether or not they are capable of government, and whether or not they want government, or whether or not only a few want government. What is the feeling of the population? You can not tell that in the short time we have had to deal with them. At least I have not been able to satisfy my mind about it. I hope, in the near future, to be able to do so, and I hope that in due course, at no distant day, we can act intelligently, and I know we will act justly. (P. 572, January 11, 1899, vol. 32, Part I, third session Fifty-fifth Congress.)

The senior Senator from Wisconsin [Mr. SPOONER] has been very full in his several speeches upon this subject. In a speech delivered in the Fifty-fifth Congress, page 1385, volume 32 of the CONGRESSIONAL RECORD, I find that he made these very satisfactory declarations:

But, Mr. President, I shrink from the notion that the interests of this country will be subserved by making permanently a part of our land territory thousands of miles away, inhabited by people aliens, not of our blood, not of our way of thinking, foreign to all of our associations, living in a tropical climate, where the white man can not work, under labor conditions of necessity which we would not permit to exist in the United States. (P. 1385, vol. 32, Fifty-fifth Congress.)

To acquire distant, nonassimilable peoples in order, through permanent domain, to force our trade upon them, seems to me to be the poorest imaginable national policy. (P. 1385, vol. 32, Fifty-fifth Congress.)

Permanent dominion over the Philippines by the United States as a part of this country means to me an endless and vast burden upon the industries of our people. We would be as sacredly bound to protect that distant people living under our flag in our territory as we would the people living on the coast of Maine or the people living around Boston Harbor. (Same page and volume as above.)

Our isolation, Mr. President, is one factor which has aided us in devoting our energies to the development of our resources only just begun. (P. 1386, same volume as above.)

It may not be sentimental or romantic, but it is true we have grown rich by staying at home and attending to our own business. (Same as above.)

I look with apprehension upon a policy which may place the United States in a position where by force of environment or neighborhood we can be made a compulsory participant in the struggles of the Old World nations over the balance of power in the Orient. Nor can I contemplate with equanimity, Mr. President, the adoption of any policy which may bring into perpetual competition with our people—with the men who raise tobacco on our farms, with the men who labor in our factories—the products of a labor which in the very nature of things must be cheaper than ours, because of radical and unchangeable differences, for climatic and other reasons, in the standard of living and in the wage of labor. (Same page and volume as above.)

I now feel that if the ratification of this treaty involves a permanent dominion by the United States over the archipelago and its people as a territory of the United States, irrevocably committed us to the policy of territorial expansion, I would not give it my vote. (Same page and volume as above.)

I have talked with a great many people upon the subject in Wisconsin. I have put to them this question: "Do we want the Philippine Archipelago?" Almost every one of them has said to me: "No; but do not give the islands back to Spain." (Same page and volume as above.)

I believe I might cull from the debates in this Chamber extracts from speeches made by quite a number of other Republican



Senators in harmony and in unison with these declarations which I have read from the speeches of the Senator from Minnesota, the Senator from Ohio, the Senator from Massachusetts, and the Senator from Wisconsin.

It is apparent now, it must be apparent to those Senators, that the people of the Philippine Islands do not want our rule in that country. It must be apparent to them, in view of the full information which we have upon the subject, that the people of the Philippine Islands are fit for and can carry on constitutional government in that archipelago. Why not, then, join with the minority here in putting upon the statute book this wise and just measure proposed as a substitute for the pending measure? It will do what those distinguished Senators have been saying they wanted to do at the proper time. It will bring peace to the islands, and it will result in giving happiness and prosperity under free institutions to the people there, while safeguarding our every interest and securing the execution of all our treaty obligations.

The Senator from Wisconsin [Mr. SPOONER], in concluding the speech which I had occasion to criticize a few moments ago, used the language which I will now read. It is a very eloquent peroration indeed:

If, Mr. President, in the end it shall come about that through the Spanish-American war we shall have liberated Cuba from the tyranny of Spain, enabled its people to erect an independent government, stable and strong; have made happy and prosperous the people of Porto Rico, and in the far-away Pacific have brought a nonhomogeneous people together into one people, educated them for self-government or independence and given it to them, though it shall have cost much of patience, of trouble, and of sacrifice, we shall have wrought out a consummation more glorious, and afforded a nobler evidence of what liberty-loving people can and will do for liberty than has ever before been seen in the history of the world.

I agree with every word in that peroration. When we shall have done what he says, we will indeed have given a noble evidence to the world of what a liberty-loving people can and will do in behalf of liberty. We have already done much of it. We have given liberty to the people of Cuba and enabled them to establish an independent government of their own, and we have, at least I presume we have, given happiness and prosperity to the people of Porto Rico. Why stop there? Why not complete the happy picture? Why not in the far-away Pacific gather together a nonhomogeneous people—that, I believe, is the term the Senator from Wisconsin used—educate them for liberty and independence, and then give it to them? And if such be our purpose, why not make a declaration of it in some authoritative way?

Yet when there has been a proposition here in the past to make such a declaration, Senators upon the other side have declared with heat and passion that they would never consent to give a pledge to a people with arms in their hands against the power of the United States, and their votes have invariably been given to defeat any such proposition.

It would appear then that if the Filipino people are unable to take us on trust and to see in the flash of every gun that sends a bullet into their breasts, the evidences of a noble and benevolent purpose upon our part, we are to continue to wage against them a desolating and destructive warfare. What a falling off is here from the noble and philanthropic sentiments to which those Senators have given utterance on so many occasions in this Chamber? We will not consent to give a pledge, a mere word, a mere breath, even though it be in accordance with our preconceived determination, even though it will stop bloody warfare, even though it will save a sea of misery and unhappiness, even though it will result in the carrying out of the benevolent and philanthropic purposes which we have held in our hearts and been anxious to extend to those people ever since we have had any connection with them.

Mr. President, I submit to our friends on the other side that they should not permit their angry passions to rise and obscure the noble and benevolent and generous and humane sentiments which have been welling up in their hearts like a living spring, and to which they would have given living and vital expression before this time but for their unfortunate infirmity of temper. You should by all means correct that infirmity. It is a blot upon otherwise noble and perfect characters. Correct it by all means. Give play to your generous and humane sentiments. Join with the minority here in a declaration which is not only in favor of that which they want to accomplish, but in favor of that which you yourselves say that you want to accomplish.

Do this before it is too late, my Republican friends, lest some student of history in the far distant future, who has not had the privilege of knowing you as we know you, looking into your professions and acts, shall conclude in his ignorance what will then appear to be probable—that your professions were a sham and your philanthropy and benevolence a hypocritical cloak under which to hide ignoble and detestable purposes.

For myself, feeling as I do, I could not do anything else than give cheerful support to the substitute offered by the Senator from Utah [Mr. RAWLINS]. It is just and right. It will stop

the war. It will do justice to a people to whom we owe much. It will do justice to our own people. It will bring our Government back to its constitutional orbit. It will secure a restoration of the respect of the world for our professions in favor of liberty. It will secure a restoration of the respect of our own people for our own constitutional limitations. It will make our possessions invulnerable to attack from abroad, and will make our sacred institution, now so badly threatened, invulnerable to attack from any quarter, either at home or abroad.

I know not how other Senators may look upon this proposition. They have the same liberty of conscience and action that I claim for myself. But I declare that I could not lay my head upon my pillow and sleep this night if I could get my consent to pursue any other course.

#### ADDENDA.

[Extracts from documents printed by direction of the Senate of the United States.]

Mr. Pratt to Mr. Day.

[Confidential.]

No. 212.]

CONSULATE-GENERAL OF THE UNITED STATES,

Singapore, April 28, 1898.

SIR: I have the honor to report that I sent you on the 27th instant, and confirmed in my dispatch No. 211 of that date, a telegram, which, deciphered, read as follows:

"SECRETARY OF STATE, Washington:

"General Aguinaldo gone my instance Hongkong arrange with Dewey cooperation insurgents Manila.

"PRATT."

The facts are these: On the evening of Saturday, the 23d instant, I was confidentially informed of the arrival here, incognito, of the supreme leader of the Philippine insurgents, Gen. Emilio Aguinaldo, by Mr. H. W. Bray, an English gentleman of high standing, who, after fifteen years' residence as a merchant and planter in the Philippines, had been compelled by the disturbed condition of things resulting from Spanish misrule to abandon his property and leave there, and from whom I had previously obtained much valuable information for Commodore Dewey regarding fortifications, coal deposits, etc., at different points in the islands.

Being aware of the great prestige of General Aguinaldo with the insurgents, and that no one, either at home or abroad, could exert over them the same influence and control that he could, I determined at once to see him, and, at my request, a secret interview was accordingly arranged for the following morning, Sunday, the 24th, in which, besides General Aguinaldo, were only present the General's trusted advisers and Mr. Bray, who acted as interpreter.

At this interview, after learning from General Aguinaldo the state of and object sought to be obtained by the present insurrectionary movement, which, though absent from the Philippines, he was still directing, I took it upon myself, whilst explaining that I had no authority to speak for the Government, to point out the danger of continuing independent action at this stage; and, having convinced him of the expediency of cooperating with our fleet, then at Hongkong, and obtained the assurance of his willingness to proceed thither and confer with Commodore Dewey to that end, should the latter so desire, I telegraphed the Commodore the same day as follows, through our consul-general at Hongkong:

"Aguinaldo, insurgent leader, here. Will come Hongkong arrange with Commodore for general cooperation insurgents Manila if desired. Telegraph.

"PRATT."

The Commodore's reply reading thus:

"Tell Aguinaldo come soon as possible.

"DEWEY."

I received it late that night, and at once communicated to General Aguinaldo, whom, with his aid-de-camp and private secretary, all under assumed names, I succeeded in getting off by the British steamer *Malacca*, which left here on Tuesday, the 26th.

Just previous to his departure I had a second and last interview with General Aguinaldo, the particulars of which I shall give you by next mail.

The general impressed me as a man of intelligence, ability, and courage, and worthy the confidence that had been placed in him.

I think that in arranging for his direct cooperation with the commander of our forces I have prevented possible conflict of action and facilitated the work of occupying and administering the Philippines.

If this course of mine meets with the Government's approval, as I trust it may, I shall be fully satisfied; to Mr. Bray, however, I consider there is due some special recognition for most valuable services rendered.

How that recognition can be best made I leave to you to decide.

I have, etc.,

E. SPENCER PRATT,  
United States Consul-General.

Mr. Pratt to Mr. Day.

No. 213.]

CONSULATE-GENERAL OF THE UNITED STATES,

Singapore, April 30, 1898.

SIR: Referring to my dispatch No. 212, of the 28th instant, I have the honor to report that in the second and last interview I had with Gen. Emilio Aguinaldo on the eve of his departure for Hongkong, I enjoined upon him the necessity, under Commodore Dewey's direction, of exerting absolute control over his forces in the Philippines, as no excesses on their part would be tolerated by the American Government, the President having declared that the present hostilities with Spain were to be carried on in strict accord with modern principles of civilized warfare.

To this General Aguinaldo fully assented, assuring me that he intended and was perfectly able, once on the field, to hold his followers, the insurgents, in check and lead them as our commander should direct.

The general further stated that he hoped the United States would assume protection of the Philippines for at least long enough to allow the inhabitants to establish a government of their own, in the organization of which he would desire American advice and assistance.

These questions I told him I had no authority to discuss.

I have, etc.,

E. SPENCER PRATT,  
United States Consul-General.



Mr. Pratt to Mr. Day.

No. 217.]

CONSULATE-GENERAL OF THE UNITED STATES,  
Singapore, May 5, 1898.

SIR: I regret to have to report that the circumstances attending the departure from here of Gen. Emilio Aguinaldo to join Commodore Dewey, which I had endeavored so hard to prevent being disclosed, were, in substance, made public in yesterday's edition of the Singapore Free Press, from the inclosed copy of which you will note, by reference to my reports Nos. 212 and 213, of the 28th and 30th ultimo, respectively, that though the facts are in the main correctly given, the dates are not quite accurate, and a certain amount of conjecture has been indulged in as regards my action in the matter and that of the commodore.

Almost immediately after the occurrence the editor of the above journal told me that he had been informed, but declined to say by whom.

I endeavored to get him to promise to keep the whole affair quiet, but, though he would not agree to this, he gave me his word not to mention it until after sufficient time should have elapsed to admit of General Aguinaldo's reaching Hongkong, which he must already have done.

Hence no harm can come of the disclosure, and, though it is annoying, I suppose I should rather congratulate myself that the secret possessed by such a number was kept so long.

I have, etc.,

E. SPENCER PRATT,  
United States Consul-General.

[Inclosure.—The Singapore Free Press, Wednesday, May 4, 1898.]

THE WAR—IMPORTANT POLITICAL ARRANGEMENT—AGUINALDO IN SINGAPORE—AN INCOGNITO VISIT—HE JOINS ADMIRAL DEWEY—PLAN CARRIED OUT BY AMERICAN CONSUL-GENERAL.

Just before the actual outbreak of hostilities between Spain and the United States Singapore has been the scene of a secret political arrangement by which Gen. Emilio Aguinaldo y Fami, the supreme head of the revolutionary movement in the Philippines, has entered into direct relations with Admiral Dewey, commander of the American squadron in China waters, while that officer was still at Hongkong.

In order to understand and appreciate this interesting historical incident properly, it will be necessary to allude to the causes leading to the second appearance of the rebellion in the Philippines, which was almost coincident with, though not instigated by, the strained relations between Spain and the United States.

In December last Gen. Primo de Rivera, who, above all other Spanish generals, has an intimate knowledge of the country and its inhabitants, found the position untenable for both parties. Neither of these had the remotest chance of terminating the rebellion decisively; the rebels secure in their mountain fastnesses, the Spaniards holding the chief towns and villages on the coast. Primo de Rivera therefore sent two well-known Philippine natives, occupying high positions in Manila, to propose terms of peace to General Aguinaldo in Biac-na-Bato. A council of the revolutionary government was held, in which it was agreed to lay down arms on condition of certain reforms being introduced. The principal of these were:

1. The expulsion, or at least secularization, of the religious orders, and the inhibition of these orders from all official vetoes in civil administration.
2. A general amnesty for all rebels, and guarantees for their personal security and from the vengeance of the friars and parish priests after returning to their homes.
3. Radical reforms to curtail the glaring abuses in public administration.
4. Freedom of the press to denounce official corruption and blackmailing.
5. Representation in the Spanish Parliament.
6. Abolition of the iniquitous system of secret deportation of political suspects, etc.

Primo de Rivera agreed to these reforms in sum and substance, but made it a condition that the principal rebel leaders must leave the country during His Majesty's pleasure. As these had lost all their property or had had it confiscated and plundered, the Government agreed to provide them with funds to live in a becoming manner on foreign soil.

The rebels laid down their arms and peace was apparently secured, but no sooner had they done so and returned to their houses than the intransigent religious orders commenced at once to again persecute them and trump up imaginary charges to procure their rearrest. The Spanish Government, on its side, imagining itself secure, desisted from carrying out the promised reforms, thinking another trick like that played on the Cubans after the peace of Zanjón, arranged by Martínez Campos, might succeed. The Filipinos, however, with this business before them, refused to be made dupes of, and have taken up arms again, not alone in the immediate districts around Manila but throughout the archipelago, which merely awaits the signal from General Aguinaldo to rise en masse, no doubt carrying with them the native troops hitherto loyal, and for which loyal service they have received no thanks but only ingratitude.

Gen. Emilio Aguinaldo, accompanied by his aide-de-camp, Col. Marcelo H. del Pilar, and his private secretary, Mr. J. Leyba, arrived incognito in Singapore from Saigon on April 21, 1898. In Saigon, where Aguinaldo had remained for one week, he had interviews with one or two old Filipino friends now resident there. The special purpose of Aguinaldo's visit to Singapore was to consult other friends here, particularly Mr. Howard W. Bray, an old intimate English friend, for fifteen years resident in the Philippines, about the state of affairs in the islands generally, particularly as to the possibility of war between the United States and Spain, and whether, in such an event, the United States would eventually recognize the independence of the Philippines, provided he lent his cooperation to the Americans in the conquest of the country. The situation of the moment was this, that the conditions of the honorable peace concluded on December 14, 1897, between President Aguinaldo, on behalf of the Philippine rebels, and H. E. Governor-General Primo de Rivera, on behalf of Spain, had not been carried out, although their immediate execution had been vouched for in that agreement.

These reforms would have provided protection to the people against the organized oppression and rapacity of the religious fraternities, would have secured improved civil and criminal procedure in courts, and have guaranteed in many ways improvements in the fiscal and social conditions of the people. The repudiation by the Spanish Government of these conditions, made by Gen. Primo de Rivera, now left the rebel leaders, who had for the most part gone to Hongkong, free to act. And it was in pursuance of that freedom of action that Aguinaldo again sought counsel of his friends in Saigon and Singapore, with a view to the immediate resumption of operations in the Philippines.

Meantime Mr. Bray, whose assistance to this journal on matters connected with the Philippines has been very considerable, as our readers will have seen, was introduced by the editor of the Singapore Free Press to Mr. Spencer Pratt, consul-general of the United States, who was anxious, in view of contingencies, to learn as much as possible about the real condition of the Philippines. It was a few days after this that Aguinaldo arrived incognito in Singapore, when he at once met his friends, including Mr. Bray.

Affairs now becoming more warlike, Mr. Bray, after conversation with Mr. Spencer Pratt, eventually arranged an interview between that gentleman and General Aguinaldo, which took place late on the evening of Sunday, the 24th April, at The Mansion, River Valley road. There were present

on that occasion Gen. Emilio Aguinaldo y Fami, Mr. E. Spencer Pratt, consul-general, United States of America; Mr. Howard W. Bray; Aguinaldo's private secretary, Mr. J. Leyba; Col. M. H. del Pilar, and Dr. Marcelino Santos.

During this conference, at which Mr. Bray acted as interpreter, General Aguinaldo explained to the American consul-general, Mr. Pratt, the incidents and objects of the late rebellion, and described the present disturbed state of the country. General Aguinaldo then proceeded to detail the nature of the cooperation he could give, in which he, in the event of the American forces from the squadron landing and taking possession of Manila, would guarantee to maintain order and discipline amongst the native troops and inhabitants in the same humane way in which he had hitherto conducted the war, and prevent them from committing outrages on defenseless Spaniards beyond the inevitable in fair and honorable warfare. He further declared his ability to establish a proper and responsible government on liberal principles, and would be willing to accept the same terms for the country as the United States intend giving to Cuba.

The consul-general of the United States, coinciding with the general views expressed during the discussion, placed himself at once in telegraphic communication with Admiral Dewey at Hongkong, between whom and Mr. Pratt a frequent interchange of telegrams consequently took place.

As a result another private interview was arranged at the American consular residence at the Raffles Hotel between General Aguinaldo, Mr. Spencer Pratt, Mr. Howard Bray, and Mr. Leyba, private secretary to General Aguinaldo.

As a sequel to this interview, and in response to the urgent request of Admiral Dewey, General Aguinaldo left Singapore for Hongkong by the first available steamer, the Peninsular and Oriental *Malacca*, on Tuesday, the 26th April, at noon, accompanied by his aide-de-camp, Captain del Pilar, and Mr. Leyba, his private secretary.

The only interview or conversation with any strangers that General Aguinaldo had during his stay in Singapore other than the above interviews was during a visit paid by General Aguinaldo to Mr. W. G. St. Clair, editor of the Singapore Free Press, at the office of this journal. On that occasion General Aguinaldo was accompanied by Mr. Bray and Mr. Leyba.

Throughout the whole stay of General Aguinaldo in Singapore the editor was kept fully informed daily of the progress of affairs. Naturally, however, all statement of what occurred has been withheld by us until what has been deemed the fitting moment has arrived.

The substance of the whole incident, in its relations to the recent course of affairs in the Philippines, has been very fully telegraphed by the editor both to New York and London.

The influence of the incident on the future of the Philippines may prove to be of a far-reaching historical character.

#### AGUINALDO'S POLICY.

General Aguinaldo's policy embraces the independence of the Philippines, whose internal affairs would be controlled under European and American advisers. American protection would be desirable temporarily, on the same lines as that which might be instituted hereafter in Cuba. The ports of the Philippines would be free to the trade of the world, safeguards being enacted against an influx of Chinese aliens who would compete with the industrial population of the country. There would be a complete reform of the present corrupt judicature of the country under experienced European law officers. Entire freedom of the press would be established, as well as the right of public meeting. There would be general religious toleration, and steps would be taken for the abolition and expulsion of the tyrannical religious fraternities who have laid such strong hands on every branch of civil administration. Full provision would be given for the exploitation of the natural resources and wealth of the country by roads and railways, and by the removal of hindrances to enterprise and investment of capital. Spanish officials would be removed to a place of safety until opportunity offered to return them to Spain. The preservation of public safety and order, and the checking of reprisals against Spaniards would, naturally, have to be a first care of the government in the new state of things.

Mr. Pratt to Mr. Day.

No. 223.]

CONSULATE-GENERAL OF THE UNITED STATES,  
Singapore, May 20, 1898.

SIR: I have the honor to submit for your consideration a proclamation in Spanish, issued prior to the departure of our fleet for Manila by the insurgent leaders in Hongkong, calling upon the Filipinos not to obey the appeal of the Spaniards to oppose the Americans, but to rally in support of these, as they came as their friends and liberators.

Three copies of the English translation of the above I also inclose for handing to the press, should that, in your opinion, seem advisable.

I have the honor to be,

E. SPENCER PRATT,  
United States Consul-General.

[Inclosure.]

#### AMERICA'S ALLIES—THE MANIFESTO OF THE FILIPINOS.

The following is a translation from the Spanish of a proclamation of the rebel leaders in Hongkong, sent over to the Philippines in advance of the American squadron:

Compatriots: Divine Providence is about to place independence within our reach, and in a way the most free and independent nation could hardly wish for.

The Americans, not from mercenary motives, but for the sake of humanity and the lamentations of so many persecuted people, have considered it opportune to extend their protecting mantle to our beloved country, now that they have been obliged to sever relations with Spain owing to the tyranny this nation is exercising in Cuba, causing enormous injury to the Americans, who have such large commercial and other interests there.

At the present moment an American squadron is preparing to sail for the Philippines.

We, your brothers, are very much afraid that you may be induced to fire on the Americans. No, brothers, never make this mistake. Rather blow your own brains out than fire a shot or treat as enemies those who are your liberators.

Your natural enemies, your executioners, the authors of your misery and unhappiness, are the Spaniards who govern you. Against these you must raise your weapons and odium; understand well, against the Spaniards and never against the Americans.

Take no notice of the decree of the governor-general calling you to arms, although it may cost you your lives. Rather die than be ungrateful to our American liberators.

The governor-general calls you to arms. What for? To defend your Spanish tyrants? To defend those that have despised you, and even in public speeches asked for your extermination—those that have treated you little better than savages? No! No! A thousand times no!

Give a glance at history and you will see that all Spain's wars in Oceania have sacrificed Philippine blood. We have been put to fight in Cochin-China



to assist the French in an affair that in no way concerned the Philippines. We were compelled to spill our blood by Simon de Anda against the English, who in any case would have made better rulers than the Spaniards. Every year our children are taken away to be sacrificed in Mindanao and Sulu, on the pretense of making us believe these people are our enemies, when in reality they are our brothers, like us fighting for their independence.

After having sacrificed our blood against the English, against the Annamites, against the people of Mindanao, etc., what recompense or thanks have we received from the Spanish Government? Obscurity, poverty, the butchery of those dear to us. Enough, brothers, of this Spanish tutelage.

Take note, the Americans will attack by sea and prevent any reinforcements coming from Spain; therefore we insurgents must attack by land. Probably you will have more than sufficient arms, because the Americans have arms and will find means to assist us.

There, where you see the American flag flying, assemble in numbers; they are our redeemers.

Our unworthy names are as nothing, but one and all of us invoke the name of the greatest patriot our country has seen, in the sure and certain hope that his spirit will be with us in these moments and guide us to victory—our immortal José Rizal.

Mr. Pratt to Mr. Day.

No. 225.]

CONSULATE-GENERAL OF THE UNITED STATES,  
Singapore, June 2, 1898.

SIR: I have the honor to submit inclosed a telegram from Hongkong of the 25th ultimo on the situation in the Philippines, published in Singapore yesterday afternoon, the 1st instant.

Considering the enthusiastic manner General Aguinaldo has been received by the natives and the confidence with which he already appears to have inspired Admiral Dewey, it will be admitted, I think, that I did not overrate his importance and that I have materially assisted the cause of the United States in the Philippines in securing his cooperation.

Why this cooperation should not have been secured to us during the months General Aguinaldo remained awaiting events in Hongkong, and that he was allowed to leave there without having been approached in the interest of our Government, I can not understand.

No close observer of what had transpired in the Philippines during the past four years could have failed to recognize that General Aguinaldo enjoyed above all others the confidence of the Filipino insurgents and the respect alike of Spaniards and foreigners in the islands, all of whom vouched for his high sense of justice and honor.

I have the honor to be, etc.,

E. SPENCER PRATT,  
United States Consul-General.

Mr. Pratt to Mr. Day.

No. 226.]

CONSULATE-GENERAL OF THE UNITED STATES,  
Singapore, June 8, 1898.

SIR: I have the honor to submit an article from the London Spectator, which was reproduced in the Singapore Free Press of yesterday, and a reply thereto, published to-day in the same paper, which last, I think, is deserving of special consideration as being the expression of opinion of Mr. H. W. Bray, one of the best authorities on the Philippines and the Filipinos.

I have the honor to be, etc.,

E. SPENCER PRATT,  
United States Consul-General.

[Inclosure 2—Singapore Free Press, June 8, 1898.]

#### THE FATE OF THE PHILIPPINES.

The author of the Spectator article quoted in your yesterday's issue under the above heading has put forward one sensible proposition. His theories on other points may be all right, but I am afraid he has reckoned without his host. America has not yet conquered the Philippines—not by a long way—but will occupy them with the assistance and good will of the Filipinos. The possession of Manila no more means the possession of the Philippines than the possession of New York means the possession of America, and without this good will and assistance of the inhabitants I must beg leave to state that neither the United States nor any other nation could ever hope to take the Philippines, except with an army of 200,000 men or more, if even then, no matter what theorists may say to the contrary. The solutions which the European papers have been kind enough to put forward re the disposal of the Philippines may be dismissed with the words of General Augustin's proclamation, "Vain designs, ridiculous boasts!" When the time comes I am inclined to think the inhabitants themselves are going to have the biggest say in this question, especially after the events of May 30 to June 1 last.

Spain, with an army of 35,000 men fully armed, has been able to do nothing against an army of imperfectly organized Filipinos, who have never disposed to more than 600 rifles. Yet nobody can taunt the Spanish soldier with want of valor, whilst his patient endurance of hardships and privations, indifferent food, and entire absence of personal comforts give him the advantage over other European soldiers, who require an efficient commissariat and transport department. In a country like the Philippines a soldier to be effective must be able to skip from crag to crag like a goat, without hindrance or paraphernalia, to be evenly matched with the inhabitants.

The Tagals will feel very much insulted if they try to garrison their villages by troops of the type proposed by the writer of the article under review. It would be a dangerous experiment. I would not advise the Americans or anyone else to try. Such crass ignorance on the state of the Philippines and its inhabitants exists on every side that it is almost useless to try and explain to outsiders that the Philippines are as different from British India, Ceylon, Burma, the West Indies, etc., as light is from darkness. The people are the most enlightened and vigorous branch of the Malay race, and have been Christians for centuries, in fact longer than the principles of the Reformation were established in Great Britain, and are the nearest akin to Europeans of any alien race, and it is simply ridiculous to imagine that eight to ten millions of such people can be bought and sold as an article of commerce without first obtaining their consent. Let all those who are greedy for a slice of the archipelago ponder well over this before burning their fingers.

To put them on a level with Sikhs and Afridis is simple nonsense. The much overestimated Sikh would find his match pretty soon with the sturdy Philippine native, and those who think differently had better read what no less an authority than General Gordon says of his Philippine troops in the Taping rebellion.

No decent or respectable Filipino will tolerate any social relations with the pagan Chinese.

The only possible solution of the Philippine question is an independent government, under American protection, and this is the policy I recommended General Aguinaldo and his compatriots to accept, and which will, no doubt, be carried out. Time will show.

H. W. BRAY.

SINGAPORE, 8th June, 1898.

Mr. Pratt to Mr. Day.

No. 229.]

CONSULATE-GENERAL OF THE UNITED STATES,  
Singapore, June 9, 1898.

SIR: I have the honor to report that this afternoon, on the occasion of the receipt of the news of General Aguinaldo's recent successes near Manila, I was waited upon by the Philippine residents in Singapore and presented an address which, though written in Spanish, was delivered in French, and which I accordingly replied to in that language.

The reports of the proceedings sent me by the editors of the Singapore Free Press and Straits Times, both of whom were present, I submit herewith, with duplicates for the press, should you consider their publication desirable.

The original address in Spanish was not left with me, but I am promised it as soon as properly written out, and will then forward it.

My reply, however, I can not forward, as it was not written, but extemporaneous, and has been correctly rendered from the French into English in the within reports, from which you will note that I avoided touching upon the question of our future policy re the Philippines.

I have the honor, etc.,

E. SPENCER PRATT,  
United States Consul-General.

[Inclosures.—The Straits Times, June 9.]

MR. SPENCER PRATT SERENADED—MEETING OF FILIPINO REFUGEES AT THE UNITED STATES CONSULATE—THEY PRESENT AN ADDRESS TO MR. SPENCER PRATT AND DRINK TO AMERICA, ENGLAND, AND ADMIRAL DEWEY.

The United States consulate at Singapore was yesterday afternoon in an unusual state of bustle. That bustle extended itself to Raffle's Hotel, of which the consulate forms an outlying part. From a period shortly prior to 5 o'clock, afternoon, the natives of the Philippines resident in Singapore began to assemble at the consulate. Their object was partly to present an address to Hon. Spencer Pratt, United States consul-general, and partly to serenade him, for which purpose some 25 or 30 of the Filipinos came equipped with musical instruments. Gradually the crowd gathered in the vicinity of the United States consulate, and after a little quiet preliminary music Dr. Santos, as representing the Philippine community in Singapore, proceeded to read the following address, which was originally drafted in Spanish and then translated into French. The address was read in French, and the following is an English translation:

#### THE ADDRESS.

"To the Hon. Edward Spencer Pratt, consul-general of the United States of North America, Singapore.

"SIR: The Philippine colony resident in this port, composed of representatives of all social classes, have come to present their respects to you as the legitimate representative of the great and powerful American Republic, in order to express our eternal gratitude for the moral and material protection extended by Admiral Dewey to our trusted leader Gen. Emilio Aguinaldo, who has been driven to take up arms in the name of 8,000,000 Filipinos, in defense of those very principles of justice and liberty of which your country is the foremost champion.

"Our countrymen at home, and those of us residing here, refugees from Spanish misrule and tyranny in our beloved native land, hope that the United States, your nation, persevering in its humane policy will efficaciously second the programme arranged between you, sir, and General Aguinaldo in this port of Singapore, and secure to us our independence under the protection of the United States. Our warmest thanks are especially due to you, sir, personally, for having been the first to cultivate relations with General Aguinaldo, and arrange for the cooperation with Admiral Dewey, thus supporting our aspirations which time and subsequent actions have developed and caused to meet with the applause and approbation of your nation. Finally, we request you to convey to your illustrious President and the American people, and to Admiral Dewey, our sentiments of sincere gratitude and our most fervent wishes for their prosperity."

"SINGAPORE, June 8, 1898."

Dr. Santos, having presented the above address to Mr. Spencer Pratt, proceeded, speaking in French, to state his belief that the Filipinos would prove and were now proving themselves fit for self-government. While it would be very desirable that such a government should be under American protection, yet it would be found that the brave Filipinos, who were now driving the Spanish troops before them, were quite fit also to fill offices of civil administration. Referring to certain news which had been telegraphed from Europe, Dr. Santos deprecated the transfer of the Philippines from Spain to any power. He was quite confident that the sympathy of the American people would be with a nation who were struggling to be free.

#### THE UNITED STATES CONSUL-GENERAL REPLIES.

After listening to the address the United States consul-general, also speaking in French, said:

"Gentlemen, the honor you have conferred upon me is so unexpected that I can not find appropriate words with which to thank you and with which to reply to the eloquent address you have just read to me. Rest assured, though, that I fully understand and sincerely appreciate the motives that have prompted your present action and that your words, which have sunk deep in my heart, shall be faithfully repeated to the President, to Admiral Dewey, and to the American people—from whom I am sure they will meet with full and generous response. A little over a month ago the world resounded with the praises of Admiral Dewey and his fellow-officers and men for a glorious victory won by the American Asiatic Squadron in the Bay of Manila.

"Now we have news of the brilliant achievements of your own distinguished leader, Gen. Emilio Aguinaldo, cooperating on land with the Americans at sea. You have just reason to be proud of what has been and is being accomplished by General Aguinaldo and your fellow-countrymen under his command. When, six weeks ago, I learned that General Aguinaldo had arrived incognito in Singapore I immediately sought him out. An hour's interview convinced me that he was the man for the occasion; and having communicated with Admiral Dewey, I accordingly arranged for him to join the latter, which he did, at Cavite. The rest you know.

"I am thankful to have been the means, though merely the accidental means, of bringing about the arrangement between General Aguinaldo and Admiral Dewey which has resulted so happily. I can only hope that the eventual outcome will be all that can be desired for the happiness and welfare of the Filipinos. My parting words to General Aguinaldo were, 'General, when you have proved yourself great, prove yourself magnanimous,' and from the treatment accorded to the recent Spanish prisoners it would appear that he had done so." [Applause.]

At the conclusion of Mr. Pratt's speech refreshments were served, and as the Filipinos, being Christians, drink alcohol, there was no difficulty in arranging as to refreshments. "Long life and prosperity" were drunk to Mr. Consul-General Spencer Pratt. Then the American Republic was cheered. Then Commodore Dewey was cheered for his gallant victory. Then England was cheered for sheltering the Filipino refugees.

## PRESENTING A FLAG.

Then Dr. Santos, as the spokesman of the Filipino refugees, again addressed the audience with many complimentary remarks on the gallantry of Admiral Dewey and the skill and foresight of United States Consul-General Pratt and with glowing forecasts of the prosperity that awaited the Philippine Islands under the new régime. He expressed a desire to have an American flag as a reminiscence of the day's proceedings. Mr. Spencer Pratt, again speaking in French, replied, saying:

"This flag was borne in battle, and is the emblem of that very liberty that you are seeking to attain. Its red stripes represent the blood that was shed for the cause; the white represents the purity of the motive; the blue field stands for the azure of the sky; the stars are the free and independent States of the Union. Take the flag and keep it as a souvenir of this occasion."

At the conclusion of Mr. Pratt's speech, he handed an American flag to Dr. Santos, who received it reverently, and waved it exultantly amidst the cheers of the assembled Filipinos. The flag waved, said Dr. Santos, be preserved, so that future generations might look at it with pride.

## PROCLAMATIONS AND DECREES ESTABLISHING AND EXTENDING REVOLUTIONARY GOVERNMENT.

[Translation.]

## Filipinos:

The great North American nation, the cradle of genuine liberty and therefore the friend of our people oppressed and enslaved by the tyranny and despotism of its rulers, has come to us manifesting a protection as decisive as it is undoubtedly disinterested toward our inhabitants, considering us as sufficiently civilized and capable of governing for ourselves our unfortunate country. In order to maintain this high estimate granted us by the generous North American nation we should abominate all those deeds which tend to lower this opinion, which are pillage, theft, and all sorts of crimes relating to persons or property, with the purpose of avoiding international conflicts during the period of our campaign.

I decree as follows:

ARTICLE I. The lives and property of all foreigners, Chinese being included in this denomination, shall be respected, as well as that of all Spaniards who neither directly or indirectly contributed to carry on war against us.

ARTICLE II. Enemies who lay down their arms must also be respected in like manner.

ARTICLE III. All hospitals and ambulances must likewise be respected, as well as all persons and goods found therein, including the staff on duty, unless they manifest hostility.

ARTICLE IV. Those who disobey what is prescribed in these preceding articles shall be tried by summary process and put to death if the said disobedience has resulted in murder, robbery, or rape.

Given in Cavite, the 24th of May, 1898.

EMILIO AGUINALDO.

[Translation.]

## My Beloved Fellow-Countrymen:

I accepted the treaty proposed by Don Pedro H. Paterno, agreeing with the captain-general of these islands under certain conditions, and laying down arms and dismissing the forces under my immediate control, because I believed it better for the country than to carry on the insurrection for which resources were lacking, but since the failure to fulfill any of the said conditions certain bands were dissatisfied and remained under arms, and since a period of five months has elapsed without any step toward the reforms which we demand to advance our country to the rank of a civilized nation, like our neighbor, Japan, which in little more than twenty years has advanced to a satisfactory position, and demonstrated her power and vigor in the late war with China, while the Spanish Government remains powerless to contend with certain obstacles which constantly arrest the progress of our country with a deadly influence which has been a principal factor in causing the uprising of the people.

Now that the great and powerful North American nation have come to offer disinterested protection for the effort to secure the liberation of this country, I return to assume command of all the forces for the attainment of our lofty aspirations, establishing a dictatorial government which will set forth decrees under my sole responsibility, assisted by the advice of eminent persons until these islands are completely conquered and able to form a constitutional convention, and to elect a president and a cabinet in whose favor I will duly resign the authority.

Given in Cavite the 24th of May, 1898.

EMILIO AGUINALDO.

[Translation.]

## Filipinos:

This dictatorial government proposes to begin within a few days our military operations, and being informed that the Spaniard intends to send us a parliamentary commission in order to open negotiations for restoring Spanish authority, and being resolved to admit no negotiations of that sort in view of the collapse of a former treaty by default of the same Spanish Government, and noting, moreover, the presence in this place of certain persons coming in the capacity of spies for the said Spanish Government, as general in chief of this region I decree as follows:

ARTICLE I. Civilians or soldiers who enter this territory with authority to negotiate, but without presenting themselves under a flag of truce, as provided for such cases by international law, and also those lacking credentials and documents for their due recognition of character and personality, shall be considered guilty of serving as spies and put to death.

ART. II. Any Filipino who undertakes the aforesaid service shall be considered as a traitor to his country, and there shall be imposed upon him the penalty of hanging by the neck in a public place for the period of two hours with a label attached bearing the statement that he is a traitor to his country.

ART. III. Any soldier or civilian found within our territories seeking to pass over to the enemy bearing secrets of war or plans of fortifications shall also be reckoned as a traitor and put to death.

Given in Cavite the 24th of May, 1898.

EMILIO AGUINALDO.

BACOR, July 15, 1898.

## His Excellency the Admiral of the Squadron of the United States in the Islands.

SIR: The revolution having taken possession of the various provinces of the archipelago, this government has found it necessary to adopt the form and organization best suited to the popular will. I have, therefore, the pleasure and honor of placing in your hand the inclosed decrees, which contain the organization referred to, begging that you will communicate to your

Government that the desires of this government are to remain always in friendship with the great North American nation, to which we are under many obligations.

I beg, also, that your excellency will have the kindness to forward the inclosed package to H. B. M. consul, with a request from me that he will forward them to their respective destinations.

For which favor the Filipino people and your humble servant will be most deeply grateful to your excellency.

Very respectfully, etc.,

EMILIO AGUINALDO.

[Indorsement to the above—First indorsement.]

U. S. FLAGSHIP OLYMPIA, Cavite, July 17, 1898.

Respectfully forwarded for the information of the Department.

GEORGE DEWEY,

Rear-Admiral, U. S. N.,

Commanding U. S. Naval Force on Asiatic Station.

## DECREES.

[Translation.]

## To the People of the Philippines:

Acts of Providence have placed me in a position for which I can not but recognize my natural inefficiency, but as I have no right to violate the laws of Providence, nor to decline the duties which honor and patriotism impose upon me, I greet you, my beloved people, from that position.

In the face of the whole world I have proclaimed that the aspiration of my whole life, the final object of all my wishes and efforts, is your independence, because I have the inner conviction that it is also your constant longing, since independence for us means the redemption from slavery and tyranny, the recovery of lost liberty, and the admission to the concert of civilized nations.

I understand, moreover, that the first duty of any government is to interpret faithfully the aspirations of the people. With this in view, although the abnormal circumstances of the war have compelled me to constitute this dictatorial government, which assumes full civil and military power, my constant desire is to surround myself with the most prominent people from each province who by their conduct deserve its confidence, so that, learning from them the true needs of each, I may be enabled to adopt the most efficacious means for filling such needs and curing deficiencies in accordance with the wishes of all.

I understand, moreover, the urgent necessity of establishing in each town a solid and substantial organization, a stronger bulwark of public security and the only means for insuring the union and discipline which are indispensable for the establishment of a republic—that is, the government of the people by the people—and for settling international conflicts which may arise.

In virtue of the above considerations I decree as follows:

Done at Cavite, June 18, 1898.

EMILIO AGUINALDO.

Then follow instructions concerning the government of provinces and towns, dated June 20, 1898, signed by Emilio Aguinaldo, giving special regulations for—

1. The holding of sessions of the different juntas and councils.
2. The organization of police forces, and the character and duties of the same.
3. The organization of tribunals, civil records, and the census.
4. Taxes and registration of property.

## AGUINALDO'S PROCLAMATION OF JUNE 18, 1898, ESTABLISHING THE DICTATORIAL GOVERNMENT.

No. 1.

## To the Philippine Public:

Circumstances have providentially placed me in a position for which I can not fail to recognize that I am not properly qualified; but since I can not violate the laws of Providence nor decline the obligations which honor and patriotism impose upon me, I now salute you, Oh my Beloved People.

I have proclaimed in the face of the whole world that the aspiration of my whole life, the final object of all my efforts and strength, is nothing else but your independence, for I am firmly convinced that that constitutes your constant desire, and that independence signifies for us redemption from slavery and tyranny, regaining our liberty, and entrance into the concert of civilized nations.

I understand, on the other hand, that the first duty of every government is to interpret faithfully popular aspirations; with this motive, although the abnormal circumstances of the war have compelled me to institute this dictatorial government which assumes full powers, both civil and military, my constant desire is to surround myself with the most distinguished persons of each province, those that by their conduct deserve the confidence of their province, to the end that the true necessities of each being known by them, measures may be adopted to meet those necessities and apply the remedies in accordance with the desires of all.

I understand, moreover, the urgent necessity of establishing in each town a solid and robust organization, the strongest bulwark of public security and the sole means of securing that union and discipline which are indispensable for the establishment of the republic—that is, government of the people for the people, and warding off the international conflicts which may arise.

Following out the foregoing considerations, I decree as follows:

Given at Cavite the 18th day of June, 1898.

EMILIO AGUINALDO.

No. 2.

For the execution and proper carrying out of what is prescribed in the decree of this government concerning the management of the provinces and towns of the Philippine Archipelago, I decree as follows:

## INSTRUCTIONS CONCERNING THE MANAGEMENT OF THE PROVINCES AND TOWNS.

(Then follow 45 rules concerning the elections, formation of the police, the courts, and the laying and collection of taxes.)

Given at Cavite the 20th of June, 1898.

EMILIO AGUINALDO.

[Translation.]

## MESSAGE OF THE PRESIDENT OF THE PHILIPPINE REVOLUTION

If it is true—and it is true—that a political revolution, well conceived, is the violent means which a people employs in order to recover the sovereignty which naturally belongs to it and which has been usurped and trampled upon by a tyrannical and arbitrary government, then the Philippine revolution could not have been more just, for the people have had recourse to it after exhausting all peaceful means counseled by reason and experience.



The former kings of Castile bound themselves to regard the Philippines as a sister nation, associated with Spain in perfect union of views and interests, and by the constitution of 1812, promulgated at Cadiz on the occasion of the war of Spanish independence, these islands were represented in the Spanish Cortes; but the interests of the monastic corporations, which have always met with unconditional support from the Spanish Government, have taken from them this sacred duty, and the Philippines have been excluded from the Spanish constitution and the people left to the mercy of the discretionary and arbitrary powers of the general government.

Under such circumstances the people clamored for justice, and asked of the mother country the recognition and restitution of their secular rights by means of reforms which would gradually assimilate them with Spain. But their voices were promptly drowned, and the reward of their abnegation was exile, martyrdom, and death. The religious corporations, with whose interests—always opposed to those of the Philippine people—the Spanish Government has identified itself, jeered at these claims and answered, with the knowledge and consent of that same Government, that the liberty of Spain had cost blood.

What other recourse was there left to the people to recover their lost rights? They had no other means but force, and, convinced of this, they have had recourse to the revolution.

And now they no longer limit their claims to the assimilation with the political constitution of Spain, but ask for definite separation from her; they are fighting for their independence, firmly convinced that the time has come when they can and must govern themselves.

So they have constituted a revolutionary government, based upon wise and just laws, adapted to the abnormal conditions through which they are passing, and at the same time preparing them to become a true republic. Taking reason as the only guide for their actions, justice as the only end, and honorable work as the only means, they call upon all their Philippine sons, without distinction of class, to unite firmly together for the purpose of forming a society of nobility, not nobility of birth or pompous titles, but of work and personal merit of each one—a free society, where there shall be no egotism and personal politics that crush and annihilate, no envy and favoritism that debase, no bragging and charlatanism that make ridiculous.

And it could not be otherwise; a people which has given proofs of valor and long suffering in time of trouble and danger, and of industry and diligence in time of peace, is not intended for slavery; such a people is called to be great, to be one of the strongest arms of Providence to direct the destinies of humanity; such a people has sufficient resources and energy to free itself from the ruin and annihilation into which the Spanish Government has plunged it, and to claim a modest but honorable seat in the concert of free nations.

Given at Cavite, June 23, 1898.

EMILIO AGUINALDO.

#### AGUINALDO'S PROCLAMATION OF JUNE 23, ESTABLISHING THE REVOLUTIONARY GOVERNMENT.

No. 3.

Don Emilio Aguinaldo y Famy, president of the revolutionary government of the Philippines and general in chief of its army.

This government desiring to demonstrate to the Philippine people that one of its ends is to combat with a firm hand the inveterate vices of the Spanish administration, substituting for personal luxury and that pompous ostentation which have made it a mere matter of routine, cumbrous and slow in its movements, another administration more modest, simple, and prompt in performing the public service, I decree as follows:

Given at Cavite the 23d of June, 1898.

EMILIO AGUINALDO.

#### INSTRUCTIONS.

Desiring to bring about a proper execution of the decree dated the 23d of the present month, and to provide that the administrative measures shall not result hereafter in the paralysis of public business, but that, on the contrary, it shall constitute the best guaranty of the regularity, promptitude, and fitness in the transaction of public business, I give the following instructions and decree:

(Then follow 10 rules concerning the details of installing the government.)  
Cavite, the 27th of June, 1898.

EMILIO AGUINALDO.

#### To foreign governments:

The revolutionary government of the Philippines on its establishment explained through the message dated the 23d of June last the true causes of the Philippine revolution, showing according to the evidence that this popular movement is the result of the laws which regulate the life of a people which aspire to progress and to perfection by the sole road of liberty.

The said revolution now rules in the provinces of Cavite, Batangas, Mindoro, Tayabas, Laguna, Morong, Bulacan, Bataan, Pampanga, Nueva-Ecija, Tarlac, Pangasinan, Union, Infanta, and Zambales, and it holds besieged the capital of Manila.

In these provinces complete order and perfect tranquillity reign, administered by the authorities elected by the provinces in accordance with the organic decrees dated 18th and 23d of June last.

The revolution holds, moreover, about 9,000 prisoners of war, who are treated in accordance with the customs of war between civilized nations and humane sentiments, and at the end of the war it has more than 30,000 combatants organized in the form of a regular army.

In this situation the chiefs of the towns comprised in the above-mentioned provinces, interpreting the sentiments which animate those who have elected them, have proclaimed the independence of the Philippines, petitioning the revolutionary government that it will entreat and obtain from foreign governments recognition of its belligerency and its independence in the firm belief that the Philippine people have already arrived at that state in which they can and ought to govern themselves.

This is set forth in the accompanying documents subscribed by the above-named chiefs.

Wherefore the undersigned, by virtue of the powers which belong to him as president of the revolutionary government of the Philippines and in the name and representation of the Philippine people, asks the support of all the powers of the civilized world and earnestly entreats them to proceed to the formal recognition of the belligerency of the revolution and the independence of the Philippines, since they are the means designated by Providence to maintain the equilibrium between peoples, sustaining the weak and restraining the strong, to the end that by these means shall shine forth and be realized the most complete justice in the indefinite progress of humanity.

Given at Bacoor, in the province of Cavite, the 6th day of August, 1898.

The president of the revolutionary government.

EMILIO AGUINALDO.

#### STATEMENT.

The undersigned chiefs of towns comprising the provinces hereinafter named, elected as such in the manner prescribed by the decree of the 18th and the instructions dated the 20th of June last, after having been confirmed in their respective offices by the president of the government and having taken the prescribed oath before him, have met in full assembly previously called for that purpose, for the purpose of discussing the solemn proclamation of Philippine independence.

The discussion took place with the prudence and at the length which so important a question demands, and after suitable deliberation the following declarations were unanimously adopted.

The Philippine revolution records, on the one hand, brilliant feats of arms, realized with singular courage by an improvised army almost without arms, and, on the other, the no less notable fact that the people after the combat have not entered upon great excesses nor pursued the enemy further, but have treated him on the contrary with generosity and humanity, returning at once to their ordinary and tranquil life.

Such deeds demonstrate in an indisputable manner that the Philippine people was not created, as all believed, for the sole purpose of dragging the chains of servitude, but that it has a perfect idea of order and justice, shuns a savage life, and loves a civilized life.

But what is most surprising in this people is that it goes on giving proofs that it knows how to frame laws commensurate with the progress of the age, to respect them and obey them, demonstrating that its national customs are not repugnant to this progress; that it is not ambitious for power, nor honors, nor riches, aside from the rational and just aspirations for a free and independent life and inspired by the most lofty idea of patriotism and national honor; and that in the service of this idea and for the realization of that aspiration it has not hesitated in the sacrifice of life and fortune.

These admirable—and more than admirable, these wonderful—deeds necessarily engender the most firm and ineradicable convictions of the necessity of leaving the Philippines free and independent, not only because they desire it, but because they are prepared to defend to the death their future and their history.

Filipinos are fully convinced that if individuals have need of material, moral, and intellectual perfection in order to contribute to the welfare of their fellows, peoples require to have fullness of life; they need liberty and independence in order to contribute to the indefinite progress of mankind. It has struggled and will struggle with decision and constance, without ever turning back or retrograding before the obstacles which may arise in its path, and with unshakable faith that it will obtain justice and fulfill the laws of Providence.

And neither will it be turned aside from the course it has hitherto followed by the unjustifiable imprisonment, tortures, assassinations, and the other vandal acts committed by the Spaniards against the persons of peaceful and defenseless Filipinos. The Spaniards believe themselves released from every legal obligation toward the Filipinos, for the sole reason that the belligerency of the revolution has not been recognized, taking no account of the fact that over and above every law, whether written or prescriptive, are placed with imprescriptible characters culture, national honor, and humanity. No, the Filipinos have no need ever to make use of reprisals, because they seek independence with culture, liberty with unconditional respect for the law as the organ of justice, and a name purified in the crucible of human sentiment.

In virtue of the foregoing considerations the undersigned, giving voice to the unanimous aspiration of the people whom they represent and performing the offices received from them and the duties pertaining to the powers with which they are invested—

Proclaim solemnly, in the face of the whole world, the independence of the Philippines:

Recognize and respect Señor Don Emilio Aguinaldo y Famy as president of the revolutionary government organized in the manner prescribed by decree of the 23d and instructions of the 27th of June last, and beg the said president that he will ask and obtain from foreign governments the recognition of its belligerency and independence, not only because this act constitutes a duty of justice, but also because to no one is permitted to contravene natural laws nor stifle the legitimate aspiration of a people for its amelioration and dignification.

Given in the province of Cavite the 1st day of August of the year of our Lord 1898, and the first year of the Philippine independence.

Follow the signatures of the local presidents of the provinces, of Cavite, and many others.

The undersigned, secretary of the interior, certifies that the present document is a literal copy of the original, which is deposited in the secretaryship under his charge; in proof of which he signs it with the approval of the president of the revolutionary government in Bacoor the 6th day of August, 1898.

V. B.

El Presidente del G. R.,

EMILIO AGUINALDO.

El Secretario del Interior,

LEANDRO IBARRA.

Letter of Consul-General Wildman to the Secretary of State:

CONSULATE OF THE UNITED STATES,  
Hongkong, August 8, 1898.

SIR:

Aguinaldo has written me by every opportunity, and I believe that he has been frank with me regarding both his actions and his motives. I do not doubt but that he would like to be President of the Philippine Republic, and there may be a small coterie of his native advisers who entertain a like ambition, but I am perfectly certain that the great majority of his followers, and all the wealthy educated Filipinos have but one desire—to become citizens of the United States of America. As for the mass of uneducated natives, they would be content under any rule save that of the friars.

My correspondence with Aguinaldo has been strictly of a personal nature, and I have missed no opportunity to remind him of his antebellum promises. His letters are childish, and he is far more interested in the kind of cane he will carry or the breastplate he will wear than in the figure he will make in history. The demands that he and his junta here have made upon my time is excessive and most tiresome. He is a man of petty moods, and I have repeatedly had letters from Consul Williams requesting me to write to Aguinaldo a friendly letter congratulating him on his success and reminding him of his obligations.

I do not care to quote Admiral Dewey, as his letters are all of a strictly personal nature, but I feel perfectly free to refer you to him as to my attitude and actions. I do not say this because I feel that I need to make any defense, but because I believe that the Daily Mail, to which you refer in the above telegram, has misconstrued my attitude, and placed me in a false position.

I find on investigation that the letter you refer to as published in the London Mail was a personal one, written by me on July 25, at the request of Consul Williams, and on lines with which we have been working with Aguinaldo

from the first. Aguinaldo had for some weeks been getting what Admiral Dewey called a "big head," and writing me sulky, childish letters. In consequence I wrote him in part as follows:

"If you stand shoulder to shoulder with our forces and do not allow any small differences of opinion and fancied slights to keep you from the one set purpose of freeing your island from the cruelties under which you claim it has been groaning for so many hundred years, your name in history will be a glorious one. There are greater prizes in the world than being a mere chief of a revolution. Do not forget that the United States undertook this war for the sole purpose of relieving the Cubans from the cruelties under which they were suffering, and not for the love of conquest or the hope of gain. Whatever the final disposition of the conquered territory may be, you can trust to the United States that justice and honor will control all their dealings with you. The first thing is to throw off the Spanish yoke. Do not let anything interfere with this."

If the newspapers can make anything out of this personal letter that looks like a pledge or an assumption on my part of powers that are not vested in me, I must decline to accept their interpretation, and inasmuch as Aguinaldo himself does not so construe it, I trust the Department will not consider that I have exceeded the bounds of discretion or embarrassed the Department in any way.

I have the honor, etc.,

ROUNSEVELLE WILDMAN,  
Consul-General.

HEADQUARTERS FIRST BRIGADE,  
UNITED STATES EXPEDITIONARY FORCES,  
Cavite Arsenal, P. I., July 4, 1898.

Señor Don EMILIO AGUINALDO,  
Commanding Philippine Forces, Cavite, Luzon.

GENERAL: I have the honor to inform you that the United States of America, whose land forces I have the honor to command in this vicinity, being at war with the Kingdom of Spain, has entire sympathy and most friendly sentiments for the native people of the Philippine Islands.

For these reasons I desire to have the most amicable relations with you, and to have you and your people cooperate with us in military operations against the Spanish forces.

In our operations it has become necessary for us to occupy the town of Cavite as a base of operations. In doing this, I do not wish to interfere with your residence here and the exercise by yourself and other native citizens of all functions and privileges not inconsistent with military rule.

I would be pleased to be informed at once of any misconduct of soldiers under my command, as it is the intention of my Government to maintain order, and to treat all citizens with justice, courtesy, and kindness.

I have, therefore, the honor to ask your excellency to instruct your officials not to interfere with my officers in the performance of their duties and not to assume that they can not visit Cavite without permission.

Assuring you again of my most friendly sentiment and distinguished consideration, I am, with all respect,

THOMAS M. ANDERSON,  
Brigadier-General, U. S. Volunteers, Commanding.

HEADQUARTERS EXPEDITIONARY FORCES  
TO THE PHILIPPINE ISLANDS,  
CHIEF QUARTERMASTER'S OFFICE,  
Cavite, P. I., July 17, 1898.

Gen. EMILIO AGUINALDO, Addressed.

SIR: General Anderson wishes me to say that the second expedition having arrived, he expects to encamp in the vicinity of Paranaque from 5,000 to 7,000 men. To do this, supply this army and shelter, it will require certain assistance from the Filipinos in this neighborhood. We will want horses, buffaloes, carts, etc., for transportation, bamboo for shelter, wood to cook with, etc.

For all this we are willing to pay a fair price, but no more. We find so far that the native population are not willing to give us this assistance as promptly as required. But we must have it, and if it becomes necessary we will be compelled to send out parties to seize what we may need. We would regret very much to do this, as we are here to befriend the Filipinos. Our nation has spent millions of money to send forces here to expel the Spaniards and to give a good government to the whole people, and the return we are asking is comparatively slight.

General Anderson wishes you to inform your people that we are here for their good, and that they must supply us with labor and material at the current market prices.

We are prepared to purchase 500 horses at a fair price, but can not undertake to bargain for horses with each individual man.

I regret very much that I am unable to see you personally, as it is of the utmost importance that these arrangements should be made as soon as possible.

I will await your reply.

SAM R. JONES,  
Major and Quartermaster, U. S. Volunteers, Chief Quartermaster.

HEADQUARTERS FIRST BRIGADE,  
UNITED STATES EXPEDITIONARY FORCES,  
Cavite Arsenal, Philippine Islands, July 19, 1898.

Señor Don EMILIO AGUINALDO,  
Commanding General, Philippine Forces.

GENERAL: The bearer, Maj. J. F. Bell, U. S. A., was sent by Maj. Gen. Wesley Merritt, U. S. A., to collect for him, by the time of his personal arrival, certain information concerning the strength and positions of the enemy and concerning the topography of the country surrounding Manila.

I would be obliged if you would permit him to see your maps and place at his disposal any information you may have on the above subjects, and also give him a letter or pass addressed to your subordinates which will authorize them to furnish him any information they can on these subjects, and to facilitate his passage along the lines upon a reconnaissance around Manila on which I propose to send him.

I remain, with great respect, your obedient servant,

THOMAS M. ANDERSON,  
Brigadier-General, U. S. Volunteers, Commanding.

HEADQUARTERS FIRST BRIGADE,  
UNITED STATES EXPEDITIONARY FORCES,  
Cavite Arsenal, P. I., July 21, 1898.

Señor Don EMILIO AGUINALDO,  
Commanding General, Philippine Forces.

GENERAL: I have the honor to request that passes and such other assistance as practicable be given to the bearer, Lieut. E. J. Bryan, and party, who are making a reconnaissance of the surrounding country.

Thanking you for assistance given on previous occasions,

I remain, with great respect, your obedient servant,

THOMAS M. ANDERSON,  
Brigadier-General, U. S. Volunteers, Commanding.

HEADQUARTERS FIRST BRIGADE,  
UNITED STATES EXPEDITIONARY FORCES,  
Cavite Arsenal, P. I., July 23, 1898.

Señor Don EMILIO AGUINALDO,  
Commanding Philippine Forces.

GENERAL: When I came here three weeks ago I requested your excellency to give what assistance you could to procure means of transportation for the American Army, as it was to fight in the cause of your people. So far we have received no response.

As you represent your people, I now have the honor to make requisition on you for 500 horses and 50 oxen and ox carts.

If you can not secure these, I will have to pass you and make requisition directly on the people.

I beg leave to request an answer at your earliest convenience.

I remain, with great respect,

THOMAS M. ANDERSON,  
Brigadier-General, U. S. Volunteers, Commanding.

AUGUST 10, 1898.

INSTRUCTIONS FROM GENERAL MERRITT BROUGHT BY GENERAL BABCOCK.

1. No rupture with insurgents. This is imperative. Can ask insurgent generals or Aguinaldo for permission to occupy their trenches, but if refused not to use force.

2. No extensions of lines, as proposed in memorandum of August 9, which will bring partial engagement, resulting in loss prior to general assault.

3. One gun can be placed within two hours after receiving the order in the insurgent emplacement on the road facing No. 14; not as good a position as farther to the front and right. Three more guns can be placed behind trench near the beach without precipitating an engagement. Embrasures can be cut through trenches to-night.

4. Troops can occupy trenches on two hours' notice, but are not prepared to make a determined assault without carrying out memorandum of August 9, requiring three days. We can hold trenches against any possible attack and bring 8 field guns into action in front of enemy's lines.

True copy.

J. F. BELL,  
Major of Engineers, U. S. A.

Mr. Williams to Mr. Day.

CRUISER BALTIMORE,  
CONSULATE OF THE UNITED STATES,  
MANILA BAY, OPPOSITE CAVITE,  
Manila, P. I., May 12, 1898.

SIR: To aid you, if possible, permit me to give assurance of the friendliness of the Philippine natives to our country and to me as its representative. During the period of my residence in Manila every week was a history of barbarities by Spaniards and of efforts, often futile, of the natives to obtain rights and protect their homes.

Scores of times I have heard hopes expressed that either United States or Great Britain would acquire these islands. In all this foreign residents, other than Spanish, concurred, and all such classes are most friendly to me.

In the struggle between Spain and the insurgents the deaths have been many, and greater among the natives. First, because the Spaniards have been much better armed; second, because the Spaniards killed many non-combatants—old men, women, and children—while the natives refrained from such barbarities.

From consensus of opinions of many reliable people, I estimate Spanish forces here about as follows:

First. Naval force, in ships annihilated in the notable battle of Manila Bay, in which 10 Spanish war ships were burned and sunk, 2 auxiliary gunboats ditto, and about 30 steamers, schooners, tugs, etc., captured.

Second. About 4,000 Spanish infantry, nearly a half of whom are in hospitals.

Third. About 6,000 native troops under Spanish officers, but if such officers were deported their soldiers would eagerly follow our flag.

An insurgent leader, Major Gonzales, reported to me last week on the *Olympia*, that they had 37,000 troops under arms, good and bad, surrounding Manila, endeavoring to cooperate with us. In the main they are very poorly armed, but have about 6,000 rifles taken from the Spaniards. They have captured the entire railroad line and the River Pasig, thus cutting off supply lines, while we by cutting off supply by bay and sea can soon starve Manila into surrender.

These natives are eager to be organized and led by United States officers, and the members of their cabinet visited me and gave assurance that all would swear allegiance to and cheerfully follow our flag. They are brave, submissive, and cheaply provided for.

To show their friendliness for me as our nation's only representative in this part of the world, I last week went on shore at Cavite with British consul, in his launch, to show the destruction wrought by our fleet. As soon as natives found me out, they crowded around me, hats off, shouting "Viva los Americanos," thronged about me by hundreds to shake either hand, even several at a time, men, women, and children, striving to get even a finger to shake. So I moved half a mile, shaking continuously with both hands. The British consul, a smiling spectator, said he never before saw such an evidence of friendship. Two thousand escorted me to the launch amid hurrahs of good feeling for our nation, hence I must conclude:

First. Our squadron can force surrender in a day. Spaniards are all cooped up in Manila.

Second. Spanish officers of native regiments away, these 6,000, together with selections from the 37,000 insurgents, can give us ample land forces and can be well armed with rifles of Spanish soldiers and from barracks and arsenals.

Third. Few United States troops will be needed for conquest and fewer still for occupancy. Expulsion of Spaniards—naval, civil, military, and clerics—will remove all discord and danger, and civil government, crude in the beginning but better than the present, will be easy and be well received, while native priests, of which there are many, can fully and with perfect acceptability meet all religious requirements so far as present established religion is concerned.

All natives, all foreigners other than Spanish, and certain Spaniards in mercantile and retired life will aid us to every extent. The people crave a change of flag. Hence I believe ample assurances are at hand that civil government by us will be easy of organization and gratefully received by the people.

My communications to your department are, these war days, supra consular, but on other lines I endeavor to serve our fleet and thus serve our nation.

All rejoice over the merited promotion of our commodore to the rank of rear-admiral, but every man of the fleet proved a hero, and it seems as if the shield of Providence ward off the enemy's shot, leaving our men unharmed, our ships and guns intact, and gave us the most important and unique victory of history.



The student of the next century will read with pride that the right arm of Spain was broken at the battle of Manila Bay, and from this must come the acquisition of the islands, many times more extensive, more populous, and more valuable than Cuba, or else their capture will force Spain to conditions of peace on basis of honor, so much sought by our nation.

I have, etc.,

OSCAR F. WILLIAMS,  
United States Consul.

Mr. Williams to Mr. Day.

Special.]

U. S. S. BALTIMORE,  
CONSULATE OF THE UNITED STATES,  
MANILA BAY, OFF CAVITE,  
Manila, P. I., May 24, 1898.

SIR: I have the honor to report successful efforts on the part of the insurgents of these islands in preparation for more successful war against Spain. Officers have visited me during the darkness of night to inform the fleet and me of their operations and to report increase of strength.

At a conference with General Aguinaldo, the head of the movement, I was told that they had now above 4,500 Mauser rifles taken from the Spaniards, and had also abundant ammunition. Until the present they have been fatally crippled in these respects.

Last week Major Gonzales captured two buffalo cart loads of rifle ammunition from the Spaniards. To-day I executed a power of attorney whereby General Aguinaldo releases to his attorneys in fact \$400,000, now in bank in Hongkong, so that money therefrom can pay for 3,000 stand of arms bought there and expected here to-morrow.

The same sources informed me that about 37,000 insurgents stand ready to aid United States forces, and General Aguinaldo's headquarters were this morning at 7 o'clock surrounded by 500 to 1,000 men eager to enlist. I was there at that hour and saw the men.

My relations with all are cordial, and I manage to keep them so pro bono publico.

When General Merritt arrives he will find large auxiliary land forces adapted to his service and used to this climate.

I am, sir,

OSCAR F. WILLIAMS,  
United States Consul.

Mr. Williams to Mr. Day.

Special.]

U. S. S. BALTIMORE,  
CONSULATE OF THE UNITED STATES,  
Manila, P. I., June 16, 1898.

SIR: I have the honor to report that since our squadron destroyed the Spanish fleet on May 1, the insurgent forces have been most active and almost uniformly successful in their many encounters with the crown forces of Spain. Gen. Emilio Aguinaldo, the insurgent chief, who was deported late in 1897, returned recently to Cavite and resumed direction of insurgent forces. He is not permitted by his people to personally lead in battle, but from headquarters governs all military movements.

He told me to-day that since his return his forces had captured nearly 5,000 prisoners, nearly 4,000 of whom were Spaniards, and all of whom had rifles when taken. General Aguinaldo has now about 10,500 rifles and 8 field pieces, with 8,000 more rifles, 2 Maxim guns, and a dynamite gun bought in China and now in transit. The insurgents have defeated the Spaniards at all points except at fort near Matate, and hold not only North Luzon to the suburbs of Manila, but Batanes Province also and the bay coast entire, save the city of Manila.

While the Spaniards cruelly and barbarously slaughter Filipinos taken in arms, and often noncombatants, women, and children, the insurgent victors, following American example, spare life, protect the helpless, and nurse, feed, and care for Spaniards taken prisoners and for Spanish wounded as kindly as they care for the wounded fallen from their own ranks.

It has been my effort to maintain harmony with insurgents in order to exercise greater influence hereafter when we reorganize government.

Manila is hemmed in; foreigners other than Spaniards have, by kindness of Rear-Admiral Dewey, been allowed to leave the beleaguered city and are cared for on merchant ships in the bay.

I have the honor, etc.,

OSCAR F. WILLIAMS,  
United States Consul.

Mr. Wildman to Mr. Day.

CONSULATE OF THE UNITED STATES,  
Hongkong, July 18, 1898.

SIR:

There has been a systematic attempt to blacken the name of Aguinaldo and his cabinet, on account of the questionable terms of their surrender to Spanish forces a year ago this month. It has been said that they sold their country for gold, but this has been conclusively disproved, not only by their own statements but by the speech of the late Governor-General Rivera in the Spanish Senate June 11, 1898. He said that Aguinaldo undertook to submit if the Spanish Government would give a certain sum to the widows and orphans of the insurgents. He then admits that only a tenth part of this sum was ever given to Aguinaldo, and that the other promises made he did not find it expedient to keep.

I was in Hongkong September, 1897, when Aguinaldo and his leaders arrived under contract with the Spanish Government. They waited until the 1st of November for the payment of the promised money and the fulfillment of the promised reforms. Only \$400,000, Mexican, was ever placed to their credit in the banks, and on the 3d of November Mr. F. Agoncilla, late minister of foreign affairs in Aguinaldo's cabinet, called upon me and made a proposal which I transmitted to the State Department in my dispatch No. 19, dated November 3, 1897. In reply the State Department instructed me "to courteously decline to communicate with the Department further regarding the alleged mission." I obeyed these instructions to the letter until the breaking out of the war, when, after consultation with Admiral Dewey, I received a delegation from the insurgent junta, and they bound themselves to obey all laws of civilized warfare and to place themselves absolutely under the orders of Admiral Dewey if they were permitted to return to Manila. At this time their president, Aguinaldo, was in Singapore negotiating, through Consul-General Pratt, with Admiral Dewey for his return.

On April 27, in company with Consul O. F. Williams, we received another delegation, composed of Señor Sandigo, José María Basa, Tomas Mascardo, Lorenzo L. Zialcita, Andres E. de Garchitorena, Manuel Malvar, Mariano Lianza, Salvatore Estrella. We agreed on behalf of Dewey to allow two of their number to accompany the fleet to Manila; consequently on the same day I took in the tug *Fame* Alizandrino and Garchitorena, accompanied by

Mr. Sandigo, to the *Olympia* in Mirs Bay. On May 2 Aguinaldo arrived in Hongkong and immediately called on me. It was May 16 before I could obtain permission from Admiral Dewey to allow Aguinaldo to go by the United States ship *McCulloch*, and I put him aboard in the night so as to save any complications with the local Government. Immediately on the arrival of Aguinaldo at Cavite he issued a proclamation, which I had outlined for him before he left, forbidding pillage, and making it a criminal offense to maltreat neutrals.

He, of course, organized a government of which he was dictator, an absolutely necessary step if he hoped to maintain control over the natives, and from that date until the present time he has been uninterruptedly successful in the field and dignified and just as the head of his government. According to his own statements to me by letter, he has been approached by both the Spaniards and the Germans, and has had tempting offers made him by the Catholic Church. He has been watched very closely by Admiral Dewey, Consul Williams, and his own junta here in Hongkong, and nothing of moment has occurred which would lead any one to believe that he was not carrying out to the letter the promises made to me in this consulate.

The insurgents are fighting for freedom from the Spanish rule, and rely upon the well-known sense of justice that controls all the actions of our Government as to their future.

In conclusion, I wish to put myself on record as stating that the insurgent government of the Philippine Islands can not be dealt with as though they were North American Indians, willing to be removed from one reservation to another at the whim of their masters. If the United States decides not to retain the Philippine Islands, its 10,000,000 people will demand independence, and the attempt of any foreign nation to obtain territory or coaling stations will be resisted with the same spirit with which they fought the Spaniards.

I have the honor, etc.,

ROUNSEVELLE WILDMAN,  
Consul-General.

[From report of General Bell, prepared for the Peace Commission.]

In the city of Santa Cruz, the capital of La Laguna, about 600 Spaniards are besieged by insurgents.

Albay, held by a detachment of Spanish forces, number not known, is also besieged by insurgents.

All the Spanish in the province of Tayabas have just been captured by insurgents, together with a considerable amount of money and other property.

The Spanish still hold Daet, the capital of Camarines Norte, and Nueva Caceres, the capital of Camarines Sur, but both places are besieged by insurgents.

The four provinces, Ilocos Sur, Ilocos Norte, Isabella, and Cagayan, are still in the possession of the Spanish, but 400 insurgents have been dispatched to attack the Spanish in these provinces.

About 250 Spaniards hold Morong, the capital of the province of the same name.

There is one company of Spanish infantry in Yap, the capital of Ponape, one of the Caroline Islands.

There are also a considerable number of Spanish troops in Cebu, Iloilo, Leyte, and Mindanao.

The island of Mindoro and the provinces of Batangas, Pampanga, Pangasinan, Bulacan, La Union, Tayabas, Bataan, Zambales, Tarlac, and Cavite (all in the island of Luzon) are under the control of insurgents.

Concerning the insurgents now under arms and about the city, it is practically impossible to count or estimate their number for several reasons: First, they are being continually sent away to other provinces; second, many of them have laid aside their arms temporarily to raise crops for their families. As the organization is very loose, no captain knows the exact number of his following. No reports have ever been made to General Aguinaldo. The closest estimate that can be made of the available armed insurgent force is based upon the number of arms recently captured from the Spanish militia, from the arsenal at Cavite, from Spaniards captured in battle, and bought from Jackson and Evans. Together with the number it is fair to estimate were in the hands of Filipinos, who got them in previous insurrection, this foots up about 40,000, as follows:

From militia	12,000
From arsenal	2,500
From Jackson and Evans	2,000
From Spanish	8,000
In hands of Filipinos (about)	15,000

Total 39,500

From this number there should probably be deducted several thousand guns recaptured by the Spanish and turned in under the provisions of a proclamation offering \$50 and amnesty to each insurgent who would come in and give himself and his rifle up to the Spaniards.

[Memorandum of General Bell on correspondence between Aguinaldo and General Merritt.]

NOTE OF EXPLANATION.—No positions whatever, with a possible exception of Paco (San Fernando de Dilao), were conquered within the city limits by Aguinaldo's forces. Definite information can be procured of General MacArthur as to whether the insurgents or our forces forced the Spanish to retire from that place.

The Calzada a Aviles merges at the crossroads (where there is really a round open space, with a fountain in the center, and called the Plaza de Rotondo) into the road to Santa Mesa, marked on the map "A Mariquina," to which place it also goes. The First Colorado Regiment has a picket post on this road a half mile beyond the limit mentioned by Aguinaldo.

I gather from the statements of many naval officers that Aguinaldo was invited here and given much assistance and encouragement by Admiral Dewey, who, of course, did not anticipate any complication, and probably never supposed Aguinaldo would at once assume an independence of American control. He has been much concerned and displeased by Aguinaldo's course of conduct, and told me several days ago that he had ceased to recognize him in any way, and had refused to any longer receive his representatives. This prayer to you to "reclaim" Admiral Dewey's protection is doubtless due to this change of attitude on the Admiral's part, who, if permitted to follow his own inclinations, will not only grant Aguinaldo no protection, but will seize his boats and launches at the first overt act.

Attention is invited to General Merritt's promise (page —), made known to Aguinaldo by me verbally, namely, that in the event of the United States withdrawing from these islands, care would be taken to leave Aguinaldo in as good condition as he was found by the forces of the Government. From a remark the general made to me I inferred he intended to interpret the expression "forces of the Government" to mean the naval forces, should future contingencies necessitate such an interpretation. At the time of the entry of the American forces into Manila, which was accomplished without assistance from the insurgents being either needed, requested, received, or desired, the insurgents held the following lines: Joining onto the American trenches facing Mytubig (the Indian name for the locality at the south end of Malate,



in the vicinity of the old fort and bridge), their trenches extended in a large circle around and outside of the Spanish line of blockhouses.

The Spanish held Santa Ana, Concordia, Paco, Cingalon, and Malate; then the line dropped back to blockhouse No. 8, to Macleod's house in Santa Mesa, and continued on around to the bay at Bancu Say, including within it all the suburbs on the northern side of Manila. The lines are indicated in map accompanying my report of July 27. Paranaque, Pasay, San Pedro Macati-Mandalaoian, Pasig, Guadalupe, Partero Santalon (where is situated the pumping station), San Juan del Monte (where the reservoir is located), Kabao, Santol, San Francisco del Monte, Caloocan, and Malabon are the villages, towns, and places (immediately in rear of the insurgent trenches and positions) where the insurgent forces were generally located.

After our entry to the city they all advanced their positions and encroached upon our outposts without anyone's authority or permission save their own, and in the face of repeated objections on the part of General Merritt. They can lay no just claim to having conquered from the Spanish the positions now held, except those at the pumping station and reservoir. Prior to the 13th of August they had for weeks been straining every resource in an effort to capture Manila without the assistance of Americans, and before they got ready, without making the slightest progress. Of course, they could never have made the progress they did in investing the city had it not been for the destruction of the Spanish fleet by Admiral Dewey; but they did do much hard fighting and did drive the Spanish from positions in the provinces immediately surrounding Manila into the confines of the city itself. This credit they are entitled to.

[From report prepared by Maj. Gen. F. V. Greene for information of Peace Commissioners.]

The day of reckoning for three centuries of this sort of government came when Admiral Dewey destroyed the Spanish squadron on May 1, 1898. An insurrection had been in progress from August, 1896, to December, 1897. Unable to suppress it, the Government made a written treaty with the insurgent leaders, paying them a large sum of money and promising to introduce various reforms on condition that they would leave the country. Hardly had the Spanish officials recovered from this when the appalling disaster of the destruction of their fleet occurred under their very eyes.

Then followed in rapid succession the naval blockade, the arrival of the insurgent leaders from Hongkong, the raising of an insurgent army, which blockaded Manila on the land side, and finally the American troops. At the end of one hundred and four days after the destruction of the Spanish fleet the city surrendered to a combined land and naval attack of the American forces.

The Spanish officials have intense fear of the insurgents, and the latter hate them, as well as the friars, with a virulence that can hardly be described. They have fought them with success and almost without interruption for two years, and they will continue to fight them with increased vigor and still greater prospects of success if any attempt is made to restore the Spanish government. In its present disorganized condition the Spanish Government could not successfully cope with them; on the other hand, it would not surrender to them. The result, therefore, of an attempted restoration of Spanish power in any of the islands would simply be civil war and anarchy, leading inevitably and speedily to intervention by foreign nations whose subjects have property in the islands which they would not allow to be destroyed.

*Insurgent troops.*—It is very difficult to give exact figures for the numbers of insurgent troops. In his message to foreign governments of August 6, asking for recognition of belligerency and independence, Aguinaldo claims to have a force of 50,000 men, organized into a regular army. This included the force in the provinces of Luzon outside of Manila. What was in evidence around Manila varied from 10,000 to 15,000. They were composed of young men and boys, some as young as 15 years of age, recruited in the rural districts, having no property and nothing to lose in a civil war. They have received no pay, and although Aguinaldo speaks in his proclamation of his intention and ability to maintain order wherever his forces penetrate, yet the feeling is practically universal among the rank and file that they are to be compensated for their time and services and hardships by looting Manila.

Their equipment consists of a gun, bayonet, and cartridge box; their uniform of a straw hat, gingham shirt and trousers, and bare feet; their transportation of a few ponies and carts, impressed for a day or a week at a time; for quarters they have taken the public building in each village or pueblo, locally known as the Tribunal, and the churches and convents. From these, details are sent out to man the trenches. Their food while on duty consists of rice and banana leaves, cooked at the quarters and sent out to their trenches. After a few days or a week of active service they return to their homes to feed up or to work on their farms, their places being taken by others, to whom they turn over their guns and cartridges.

Their arms have been obtained from various sources—from purchases in Hongkong; from the supply which Admiral Dewey found in the arsenal at Cavite; from capture made from the Spaniards. They are partly Mausers and partly Remingtons. Their ammunition was obtained in the same way. They have used it freely, and the supply is now rather short. To replenish it they have established a cartridge factory at the village of Imus, about 10 miles south of Cavite, where they have 400 people engaged in reloading cartridges with powder and lead found at Cavite or purchased abroad. They have no artillery, except a few antique columbiads obtained from Cavite, and no cavalry. Their method of warfare is to dig a trench in front of the Spanish position, cover it with mats as a protection against the sun and rain, and during the night put their guns on top of the trench above their heads and fire in the general direction of the enemy. When their ammunition is exhausted, they go off in a body to get a fresh supply in baskets, and then return to the trenches.

The men are of small stature, from 5 feet to 5 feet 6 inches in height, and weigh from 110 to 130 pounds. Compared with them, our men from Colorado and California seemed like a race of giants. One afternoon, just as we entered Manila, a battalion of the insurgents fired upon the outposts of the Colorado regiment, mistaking them, as they claimed, for Spaniards. The outpost retreated to their support and the Filipinos followed; they easily fell into an ambush, and the support, numbering about 80 men, surrounded the 250 Filipinos, wrenched the guns out of their hands, and marched them off as unarmed prisoners, all in the space of a few minutes. Such a force can hardly be called an army, and yet the service which it has rendered should not be underestimated. Between 2,000 and 3,000 Spanish native troops surrendered to it during the months of June and July. It constantly annoyed and harassed the Spaniards in the trenches, keeping them up at night and wearing them out with fatigue; and it invested Manila early in July so completely that all supplies were cut off and the inhabitants, as well as the Spanish troops, were forced to live on horse and buffalo meat, and the Chinese population on cats and dogs. It captured the waterworks of Manila and cut off the water supply, and if it had been in the dry season, would have inflicted great suffering on the inhabitants for lack of water.

These results, it is true, were obtained against a dispirited army containing a considerable number of native troops of doubtful loyalty. Yet from August, 1896, to April, 1897, they fought 25,000 of the best regular troops sent

out from Spain, inflicting on them a loss of over 150 officers and 2,500 men killed and wounded, and they suffered still greater losses themselves. Nevertheless, from daily contact with them for six weeks, I am very confident that no such results could have been obtained against an American army, which would have driven them back to the hills and reduced them to a petty guerrilla warfare. If they attack the American army this will certainly be the result; and while these guerrilla bands might give some trouble so long as their ammunition lasted, yet with our navy guarding the coasts and our army pursuing them on land, it would not be long before they were reduced to subjection.

*Insurgent civil administration.*—In August, 1896, an insurrection broke out in Cavite under the leadership of Emilio Aguinaldo, and soon spread to other provinces on both sides of Manila. It continued with varying successes on both sides, and the trial and execution of numerous insurgents, until December, 1897, when the governor-general, Primo de Rivera, entered into written agreement with Aguinaldo, the substance of the document, which is in possession of Señor Felipe Agoncillo, who accompanies me to Washington, being attached hereto and marked "A." In brief, it required that Aguinaldo and the other insurgent leaders should leave the country, the Government agreeing to pay them \$300,000 in silver and promising to introduce numerous reforms, including representation in the Spanish Cortes, freedom of the press, general amnesty for all insurgents, and the expulsion of secularization of the monastic orders.

Aguinaldo and his associates went to Hongkong and Singapore. A portion of the money (\$400,000) was deposited in banks at Hongkong, and a lawsuit soon arose between Aguinaldo and one of his subordinate chiefs named Artacho, which is interesting on account of the very honorable position taken by Aguinaldo. Artacho sued for a division of the money among the insurgents according to rank. Aguinaldo claimed that the money was a trust fund, and was to remain on deposit until it was seen whether the Spaniards would carry out their promised reforms, and if they failed to do so it was to be used to defray the expenses of a new insurrection. The suit was settled out of court by paying Artacho \$5,000.

No steps have been taken to introduce the reforms, more than 2,000 insurgents, who had been deported to Fernando Po and other places, are still in confinement, and Aguinaldo is now using the money to carry on the operations of the present insurrection.

On the 24th day of April Aguinaldo met the United States consul and others at Singapore and offered to begin a new insurrection in conjunction with the operations of the United States Navy at Manila. This was telegraphed to Admiral Dewey, and by his consent, or at his request, Aguinaldo left Singapore for Hongkong on April 26; and when the McCulloch went to Hongkong early in May to carry the news of Admiral Dewey's victory it took Aguinaldo and 17 other revolutionary chiefs on board and brought them to Manila Bay. They soon after landed at Cavite, and the Admiral allowed them to take such guns, ammunition, and stores as he did not require for himself. With these, and some other arms which he had brought from Hongkong, Aguinaldo armed his followers, who rapidly assembled at Cavite, and in a few weeks he began moving against the Spaniards. Part of them surrendered, giving him more arms, and the others retreated to Manila.

Soon afterwards two ships, which were the private property of Señor Agoncillo and other insurgent sympathizers, were converted into cruisers and sent with insurgent troops to Subig Bay and other places to capture provinces outside of Manila. They were very successful, the native militia in Spanish service capitulating with their arms in nearly every case without serious resistance. On the 18th of June Aguinaldo issued a proclamation from Cavite establishing a dictatorial government, with himself as dictator. In each village or pueblo a chief (jefe) was to be elected, and in each ward a headman (cabeza); also in each pueblo 3 delegates—1 of police, 1 of justice, and 1 of taxes. These were to constitute the junta or assembly, and after consulting the junta the chiefs of pueblos were to elect a chief of province and 3 councillors—1 of police, 1 of justice, and 1 of taxes. They were also to elect one or more representatives from each province to form the revolutionary congress.

This was followed on June 20 by a decree giving more detailed instructions in regard to the elections. On June 23 another decree followed changing the title of the government from dictatorial to revolutionary, and of the chief officer from dictator to president; announcing a cabinet, with a minister of foreign affairs, marine, and commerce, another of war and public works, another of police and internal order, justice, instruction, and hygiene, and another of taxes, agriculture, and manufactures; the powers of the president and congress were defined, and a code of military justice was formulated.

On the same date a manifesto was issued to the world explaining the reasons and purposes of the revolution. On June 27 another decree was issued containing instructions in regard to elections. On August 6 an address was issued to foreign governments stating that the revolutionary government was in operation and control in 15 provinces, and that in response to the petition of the duly elected chiefs of these provinces an appeal is made for recognition of belligerency and independence. Translations of these various documents are all appended, marked B, C, D, E, F, G, and H.

Congress was to hold its first session at Malolos about September 20.

While this scheme of government is a pure despotism, yet it claims to be only temporary and intended to "prepare the country so that a true republic may be established." It also provides a rude form of governmental machinery for managing the affairs of the provinces. To what extent it has actually gone into operation it is difficult to say. Aguinaldo claims in his address of August 6 that it is in force in 15 provinces whose aggregate population is about 2,000,000. They include the island of Mindoro and about one-half of Luzon. None of these except Cavite have yet been visited by Americans, and all communication with them by the Spanish Government at Manila has been cut off since May 1.

In the province of Cavite and that portion of the province of Manila outside of the city and its suburbs which was occupied by the insurgent troops, as well as those of the United States, their military forces, military headquarters, etc., were very much in evidence, occupying the principal houses and churches in every village and hamlet; but there were no signs of civil government or administration. It was reported, however, that Aguinaldo's agents were levying taxes or forced contributions not only in the outside villages, but (after we entered Manila) by means of secret agents in the market places of the city itself. At Aguinaldo's headquarters, in Bacoor, there were signs of activity and business, and it was reported that his cabinet officers were in constant session there. Aguinaldo himself never failed to claim all the prerogatives due to his alleged position as the de facto ruler of the country.

The only general officer that saw him or had any direct communication with him was General Anderson. He did much to thwart this officer in organizing a native wagon train and otherwise providing for his troops, and he went so far in a letter of July 23 (copy herewith, marked "J") as to warn General Anderson not to land American troops on Philippine soil without his consent—a notice which it is hardly necessary to say was ignored. The day before the attack on Manila he sent staff officers to the same general asking for our plans of attack so that their troops could enter Manila with us. The



same request had previously been made to me by one of his brigade commanders, to which I replied that I was not authorized to give the information desired.

Aguinaldo did not call upon General Merritt on his arrival, and this enabled the latter to avoid any communication with him, either direct or indirect, until after Manila had been taken. General Merritt then received one of Aguinaldo's staff officers in his office as military governor. The interview lasted more than an hour. General Merritt referred to his proclamation as showing the conditions under which the American troops had come to Manila and the nature of the military government which would be maintained until further orders from Washington. He agreed upon the lines outside of the city of Manila up to which the insurgent troops could come, but no farther, with arms in their hands; he asked for possession of the waterworks, which was given; and while expressing our friendship and sympathy for the Philippine people, he stated very positively that the United States Government had placed at his disposal an ample force for carrying out his instructions, and even if the services of Aguinaldo's forces had been needed as allies he should not have felt at liberty to accept them.

The problem of how to deal with Aguinaldo's government and troops will necessarily be accompanied with embarrassment and difficulty, and will require much tact and skill in its solution. The United States Government, through its naval commander, has to some extent made use of them for a distinct military purpose, viz, to harass and annoy the Spanish troops, to wear them out in the trenches, to blockade Manila on the land side, and to do as much damage as possible to the Spanish Government prior to the arrival of our troops; and for this purpose the admiral allowed them to take arms and munitions which he had captured at Cavite and their ships to pass in and out of Manila Bay in their expeditions against other provinces. But the admiral has been very careful to give Aguinaldo no assurances of recognition and no pledges or promises of any description. The services which Aguinaldo and his adherents rendered in preparing the way for attack on Manila are certainly entitled to consideration; but, after all, they were small in comparison with what was done by our own fleet and army.

[From testimony of Maj. Gen. Charles A. Whittier before Peace Commission at Paris.]

#### Examination by Mr. Day:

Q. Please state your name, the length of time you have been at Manila, and the opportunities you have had for observation there.

A. Charles A. Whittier, brigadier-general, United States Volunteers. I left San Francisco on June 28 last and went to Honolulu, which I left on July 8, and arrived at Manila on July 25. Remained in the harbor meeting the merchants, who came out to the ship as frequently as they could, until a prohibition was put on their frequent visits.

Officers constantly came aboard of our ship on the way to and from camp and reported the different stories about the conduct of the insurgents and the Spaniards, and of the small engagements occurring, different evenings. After communications addressed by Admiral Dewey and General Merritt to the acting captain-general, asking him to remove his noncombatants, and next demanding the surrender of the city, which requests were both denied the Belgian consul, as a semi-intermediary, came repeatedly to Dewey and proposed different methods of giving up the city after we had made an attack, which, he said, was necessary to satisfy the Spanish honor. So the guns opened on August 13, and after the white flag was shown I was sent, in company with Lieutenant Brumby, on the launch of the Belgian consul to receive the surrender.

We landed by a stone pier running out into the water, which was rough and getting rougher, but we got ashore very comfortably at about noon, much better than those who went later in the afternoon. Two carriages awaited us, and an interpreter by the name of Carlos Casademunt, together with Colonel of the Staff Don Jose M. Olague and Captain of Artillery Don Francisco Chavairi, who also spoke English, conducted us to the house of the captain-general, where we found about 40 officers awaiting us. They had a number of pages of stipulations, to two of which I could not consent, being that their arms should be given to them and the army sent back to Spain, though I think now it would have been wise to do so.

Admiral Montojo, who had commanded their vessels in the fight, was there, and seemed to have his wits about him better than the rest. I think the captain-general was much frightened. He reported in great trepidation that the insurgents were coming into the city, and I said that I knew that that was impossible, because such precautions had been taken as rendered it so. The subject had been broached two days before and all the arrangements had been made. A little later they said that our people were on the front of the city, the corner of the walled city, and were firing there. I wrote a letter to the commander of the troops, who turned out to be General Greene, and asked that the firing should be suspended, which it was, and Brumby returned to Admiral Dewey.

Going through the city we passed perhaps 1,500 Spaniards, with rude, old-fashioned artillery, and the men looked very well, infinitely better than the Southerners did at the surrender of our other war. I wrote a note to General Merritt asking him to come to the city. They said that the town hall, their hotel de ville, or the ayuntamiento, was the best place for headquarters. We adjourned there, and I asked them to deposit their arms in the courtyard, to which they demurred, saying that it was not yet a formal surrender, but they did stack them, and I went down to meet Merritt, missed him, and when he arrived he found about 3,000 people there with arms. About 9 o'clock a memorandum was made of the surrender, and the next day General Greene, Captain Lamberton of the Navy, Colonel Crowder, and myself were on the commission for the terms of surrender.

After that I made it a point to know all the merchants in the town. I knew all the English, the principal traders there. The only Americans in the place were Mr. Daland, a custom-house broker, and a Mr. Russell, whose father was an American; he is now connected with one of the leading firms. I went over the line of the only railroad in the Philippines, leaving on Saturday morning and going up 120 miles through the rice fields, a country of marvelous and most extraordinary fertility.

The next morning we started out early and went up to Dagupan Bay, the terminus of the road, that little niche on the left (indicated on the map). We found about 300 insurgents in the cars, who were going down to some points on the line. They said they had been up at Vigan, where the Spaniards had a custom-house, and had been driven out. This station was all battered to pieces by the Spaniards in some previous engagement.

#### Mr. Gray:

Q. What sort of looking people are the insurgents?

A. They are somewhat undersized, are fairly good in appearance, are brave, will stand any amount of hunger and hardship, and, well led, would be very good soldiers.

Aguinaldo went to Cavite, under the permission of Admiral Dewey, in reply to a telegram sent by Spencer Pratt, esq., our consul-general at Singapore, who offered that chief money for his expenses. The offer was declined. After arrival (on one of our ships) he went ashore, accompanied by 13 staff

officers, to organize his army; but no adherents appeared the first day, and Aguinaldo, rather discouraged, meditated returning to Hongkong.

I think Dewey advised him to make another effort, at the same time saying that he must leave the public buildings at Cavite, where he had made his headquarters. Soon, from across the bay and from all sides, men gathered. The fact that Dewey permitted the armed men to move from the surrounding districts and for the rebels to take arms (not many, says the Admiral) in the arsenal was the only help we gave him, excepting, of course, the most important destruction of the Spanish navy. From that time the military operations and the conduct of the insurgents have been most creditable. Positions taken and the movements of troops show great ability on the part of some leader—I do not say it was necessarily Aguinaldo, but he gave the directions.

#### The Chairman:

Q. How many men did he get together?

A. His forces went around the city, taking the waterworks and the north part of the city and running up the railroad. I asked that question of several, and the opinions differed widely—all the way from 8,000 to 30,000 or 40,000 men.

Q. Do you think he had as many as 8,000 men before the surrender?

A. Yes, sir; the environment of the city took a great many men. There is a vast extent of country there, including the waterworks and running around the city, and they certainly had to have more than that to do so.

Q. How many arms did Dewey turn over to them?

A. I never knew exactly. I asked him that question, and he said a very few.

Q. Where did they get the rest of their arms?

A. Some captured from the Spanish, some brought to him by deserters, and there were some shipments of arms from Hongkong—I believe Americans brought them in—and they have lately taken some to Batangas, in the southern part, and have taken some new Maxim guns in there, too.

#### Mr. Gray:

Q. To the insurgents?

A. Yes.

Q. Since the capitulation?

A. Yes; they changed the name of a vessel and used it. She had had a Luzon name, the *Pasig*, and they changed it to the *Abby*. Dewey sent down and seized the boat, and the insurgents followed to Manila Bay, hoping to reclaim it. In other respects their demands, from their point of view, have not been unreasonable, and show a proper appreciation of the status.

#### STATEMENT RESUMED.

The day after the surrender (August 13) four representatives of Aguinaldo called on General Merritt, who assured them in general terms that "we are the friends of the Filipinos." At that time they occupied a portion of Manila. We soon demanded that they should give that up, to which Aguinaldo's representative agreed, but in seeking confirmation from him the condition was made that in case we gave up the country they should be restored to the positions then occupied and which they had taken greatly by their own merits. However, matters have been amicably settled. Aguinaldo's headquarters are at Malolos, 23 miles up the railroad. His troops control all the settled part of the island (except Manila), as well as much of the southern country.

#### The Chairman:

Q. What do you mean by the "southern country"—those islands below?

A. Yes.

Their conduct to their Spanish prisoners has been deserving of the praise of all the world. With hatred of priests and Spaniards, fairly held on account of the conditions before narrated, and with every justification to a savage mind for the most brutal revenge, I have heard no instance of torture, murder, or brutality since we have been in the country.

#### The Chairman:

Q. Did you ever talk with Admiral Dewey about his relations with Aguinaldo?

A. Yes, sir. He read me a copy of his dispatch in answer to the one in which he is asked the question whether he had made any promises, and he said he had not. Aguinaldo went down with his concurrence, without doubt, and the Admiral allowed armed people to cross the bay and join him and made no remonstrance.

Q. Did he furnish him any arms?

A. He says not, except the few furnished them from Cavite. Foreman, in his article, makes the statement that he has a treaty with Aguinaldo, and I went one morning and left the article with the Admiral to read, and he said it was not true.

Q. This relation—whatever Admiral Dewey did—took place before he got the dispatch of inquiry from the Navy Department—some time before?

A. Yes.

Q. How far does the Admiral say he encouraged Aguinaldo?

A. I do not think he says he gave him any encouragement, except that he rather dissuaded him from returning to Hongkong when he was discouraged.

Q. Did you get that statement from Dewey?

A. Yes. Aguinaldo was rather discouraged when any of the people failed to come to his banner on the first day. That dispatch also included a statement that he knew well the Filipinos and the Cubans, and that the Filipinos were a far superior people—I think that was in that dispatch; it was in one.

#### Mr. FRYE:

Q. Were they of material assistance to us?

A. Very great. If the protocol had not been signed I think the Spanish at home would have insisted upon their army doing something. They dismissed Augustin because he was not disposed to fight, and I think if they had not had this experience of having been driven back into the city and the water cut off, so even that Jaudenes said he could not remove his noncombatants, the Government would have insisted on his making a fight, and he could have made a very good one, for his position was strong, if they had any fight in them at all. But every place had been taken from them by the Filipinos, who managed their advances and occupation of the country in an able manner.

#### The Chairman:

Q. The insurrection had been ended in December, 1897, by an arrangement under which money was paid in Hongkong and certain reforms promised. Were these promises ever carried out?

A. Not at all, and Primo de Rivera stated lately in the Cortes that he never made any. I was surprised at reading that statement.

#### STATEMENT RESUMED.

I talked with Spanish prisoners at Tarlac, an important military station on the line of the railroad, and they said that they had had good treatment only. The wives of two officers had lately visited their husbands in jail (one at Dagupan, 123 miles north) and gave same testimony.

Aguinaldo, in a letter of August 1 to our late consul at Manila, Mr. Williams, said: "Say to the Government at Washington that the Filipino people



abominate savagery; that in the midst of their past misfortunes they have learned to love liberty, order, justice, and civil life." I believe the natives to be brave (under good leadership), most tolerant of fatigue and hunger, and amenable to command and discipline, if justice and fair dealing rule. They are very temperate, as most of the natives of the East are. I have never seen a drunken one, and this with the example of our soldiers, whom they imitate in everything else; very quiet, no loud quarrels, very good house servants and cooks.

[From testimony of Maj. Gen. Wesley Merritt before Peace Commission at Paris.]

General MERRITT, With reference to the last letter read, that letter and one other letter received from Aguinaldo, which has been mislaid and which I can not reproduce, I made no reply to, except to tell him he must withdraw his forces outside those limits.

The commission he refers to was brought to me by General Anderson. He asked me if I would talk to them, and I said I would. It was a few days after the surrender, and I received them at my headquarters in Manila, and they agreed the insurgents should withdraw outside any lines I might designate. I detailed two officers, General Greene and General MacArthur, to designate a line in red pencil, and gave it to them on a map, and told them I should insist on the withdrawal of his troops. It took in part of the lines Aguinaldo's troops had occupied previous to our getting there, but it was necessary to enforce a proper status between the insurgents and our own forces and to keep them out of Manila.

Before that time, rather early after my arrival there at Manila, I had telegraphed to the War Department of the possible trouble that might arise with the insurgents, and asked for instructions as to whether I should consider them as enemies and treat them accordingly in such case. To that request I had no reply, and the consequence was I had to mix diplomacy with force in order to avoid a tilt with them. I knew, if bloodshed was once had, that would be the end of an amicable status there, and to that end I was careful only to enforce that which was proper and which I conceived must be executed in order to have my troops fully occupy the ground we had taken. In his letters to General Anderson he speaks of concessions they made there in the occupation of lines. They did.

I told General Greene—gave him the instructions—to try to get these positions by an amicable arrangement if possible, but, if necessary, to report the fact to me, and I should use force to secure them. At the time I went there I found we had no lines, no base upon which to approach Manila. The insurgents had their pickets to the front of ours, and our main guard was in the rear of their main guard, and I gave General Greene orders to change that status, which he did, and purely by arrangement with that general of whom Major Bell speaks as being a very sensible fellow and a good fellow. It appears, when the request was made of him, he corresponded with Aguinaldo, and the latter agreed to it.

[Telegram.]

CAMP DEWEY, near Manila, 8-10-'98.

Gen. EMILIO AGUINALDO,  
Commanding Filipino Forces, Bacoor:

Will your excellency consent to my occupation of the intrenchment facing Blockhouse No. 14, on the road from Pasay to Cingalon? Our object is to place artillery to destroy the blockhouse. If you consent, please issue necessary orders to-night. I shall highly appreciate a prompt reply.

THOMAS M. ANDERSON,  
Brigadier-General, Commanding Division.

[Telegram.]

BACOR, August 10, 1898.

Brig. Gen. THOMAS M. ANDERSON, U. S. V.,  
Camp Dewey.

SIR: Replying to your note of this date, in which you ask me the occupation by your troops of the intrenchments facing Blockhouse No. 14 only, on the road from Pasay to Cingalon, I have the pleasure to tell you that I [am] giving the necessary orders so that your troops may occupy the mentioned intrenchments, and my troops will pass to the immediate intrenchments or to any other place where they think convenient to intrench themselves.

I remain, most respectfully, yours,

E. AGUINALDO.

[Telegram.]

MANILA, P. I., August 13, 1898.

General AGUINALDO,  
General in Chief, Filipino Forces:

Serious trouble threatening between our forces. Try and prevent it. Your forces should not force themselves in the city until we have received the full surrender. Then we will negotiate with you.

ANDERSON.

[Most urgent—Pineda received from Bacoor 10.50 a. m., 13th.]

General Aguinaldo, Ermita, president of revolutionary government, to General Anderson, Ermita.

I received a telegram. My interpreter is in Cavite. In consequence of this I have not answered until now. My troops are forced by yours, by means of threats of violence, to retire from positions taken. It is necessary to avoid conflict, which I should lament, that you order your troops that they avoid difficulty with mine, as until now they have conducted themselves as brothers to take Manila. I have given strict orders to my chiefs that they preserve strict respect to American forces and to aid them in case they are attacked by a common enemy.

I do not doubt that the good relations and friendship which unite us will be continued if your soldiers correspond to the conduct imposed upon mine.

E. AGUINALDO.

[Memoranda, without date, in General Anderson's handwriting.]

If you apparently have been treated harshly, it is from military necessity and not for want of confidence. We had to take Manila to effect the purpose of our war.

While we may admit the justice of your insurrection, to prevent all possible complications, still it is thought judicious and necessary to have only one army in Manila at once.

[In General Merritt's handwriting.]

The Government of the United States, you may be assured, which as my agent I can make no promises, will deal fairly with the Filipinos, but we must now insist, for the good of all, there shall be no joint occupation of Manila.

NOTE.—This is apparently the draft of a telegram sent in reply to General Aguinaldo's message, dated 10.50 a. m., August 13, and marked "Most urgent."

[Extracts from Document No. 66, Fifty-sixth Congress, first session, said document consisting of an official report by W. B. Wilcox, paymaster, United States Navy, and Leonard R. Sargent, naval cadet, United States Navy, made to Admiral George Dewey concerning information gathered in the island of Luzon, and of magazine articles published by those officers at a later period, concerning the same matter.]

[From the Outlook, September 2, 1899.]

THE BACKWOODS FILIPINO.

[By Leonard R. Sargent.]

It has been my privilege to have been intimately associated with the Filipino people for a short time at a most interesting period of their history. With the permission of Admiral Dewey, I spent the greater part of the months of October and November of 1898, in company with Paymaster W. B. Wilcox, United States Navy, in the interior of the northern part of the island of Luzon. It will be remembered that at that date the United States had not yet announced its policy with regard to the Philippines. The terms of the treaty with Spain were being negotiated by our commissioners at Paris, and the fate of the islands hung in the balance. In the meantime the native population, taking matters into their own hands, had declared their independence from all foreign jurisdiction and had set up a provisional government, with Aguinaldo at its head.

Although this government has never been recognized, and in all probability will go out of existence without recognition, yet it can not be denied that, in a region occupied by many millions of inhabitants, for nearly six months it stood alone between anarchy and order. The military forces of the United States held control only in Manila, with its environs, and in Cavite, and had no authority to proceed further; while in the vast remaining districts the representatives of the only other recognized power on the field were prisoners in the hands of their despised subjects. It was the opinion at Manila during this anomalous period in our Philippine relations, and possibly in the United States as well, that such a state of affairs must breed something akin to anarchy.

I can state unreservedly, however, that Mr. Wilcox and I found the existing conditions to be much at variance with this opinion. During our absence from Manila we traveled more than 800 miles in a very comprehensive circuit through the northern part of the island of Luzon, traversing a characteristic and important district. In this way we visited seven provinces, of which some were under the immediate control of the central government at Malolos, while others were remotely situated, separated from each other and from the seat of government by natural divisions of land, and accessible only by lengthy and arduous travel. As a tribute to the efficiency of Aguinaldo's government and to the law-abiding character of his subjects, I offer the fact that Mr. Wilcox and I pursued our journey throughout in perfect security, and returned to Manila with only the most pleasing recollections of the quiet and orderly life which we found the natives to be leading under the new régime.

Our entertainment in the different towns varied according to the facilities at hand; but in all cases music was a leading feature. In the absence of all accessories the village band would be called into the building in which we were received and would play tune after tune well on into the night, while we conversed at our ease with the village fathers. At the little village of Cordon, which has a population of only a few hundred, we passed one of the pleasantest evenings of our journey. In this instance four accomplished little girls gave the entertainment its particular charm. Soon after our arrival the entire village trooped into the large room of the public building that had been turned over to our party. The floor was cleared for a dance, and the band commenced with a waltz. After the waltz was finished two of the little girls danced a minuet and sang a very pretty dialogue accompaniment. The movement of the minuet was very slow and stately, and the little dancers went through it with charming effect.

We spent three days at Ilagan, and I think that it was here that we were brought into closest touch with the Filipino character. The cultured class, which I have spoken of before, was strongly in evidence, and I think that before leaving we had discussed views with nearly every member of it. They all realized that they were passing through a crucial period in the history of their people, and young and old were eager to acquire all possible knowledge that might assist them to think clearly at this crisis. Their realization of the gravity of their position did not, however, rob their character of its natural gaiety, nor make them forget their duty as hosts. On the evening following our arrival a ball was given in our honor, which was attended by all the élite of the town.

There were present about 50 young women and twice that number of men. All were dressed in European fashion. The girls were pleasant and intelligent; the men comported themselves in all respects like gentlemen. It was hard to realize that we were in the very heart of a country generally supposed to be given up to semisavages. At intervals between dances many songs were sung, usually by one or two of the guests, while all frequently joined in the chorus. The national hymn was repeated several times with great enthusiasm. The ball lasted until nearly 8 o'clock in the morning, and broke up with good feeling at its height.

On the second evening we were invited to attend the theater, where two one-act Spanish plays were presented by the young society people of the town. The theater itself had been constructed by the villagers only a few weeks before. It was a large bamboo structure, one end of which was used as the village market, while the stage occupied the other end. The stage arrangements were good; curtain, side scenes, and footlights all en règle. In the performance of the play we saw our friends—these typical young Filipinos—in a light in which very few of our nation have had an opportunity to view them. They comported themselves with credit in a position where humor, intelligence, and artistic ability were the requisites of success.

There was one form of hospitality which we met both at Ilagan and at Caparri that we would gladly have avoided. I still shudder when I recall the stupendous dinners that were spread before us night after night. The Filipinos pride themselves on their cookery, and it is indeed excellent. There could be no cause for complaint on that score. There is never any suspicion of the greasy and garlicky flavor to the food that characterizes a Spanish meal. Our host at Ilagan employed three cooks, each of whom in turn officiated at the preparation of one of the three dinners which we ate in that town. It is impossible to say which one deserved the palm. The shortest of the three dinners numbered fifteen courses and seemed interminable. In addition to fish, rice, chickens, and other domestic products of the country, there were served game of many sorts, including doves, snipes, deer, mountain buffalo, and boar. It was astonishing how many of the dishes were "conida del pais," and must be sampled by the visitors to secure a just conception of the Filipino talent in matters of the palate. We felt on leaving the table as if the horn of plenty had been thrust against our lips and its contents to the last crumb forced down our unwilling throats.

We no longer passed from town to town through unsettled stretches of country. The fields on both sides of the road were under cultivation and



were dotted with laborers, while on the road itself there were always many travelers. The laborers in the fields worked in the shade of large screens of nipa leaves, which they carried with them from place to place.

At a town in Isabella my attention was drawn to a number of young girls returning from their first communion. They were clothed in dresses of pure white, and long veils hung chastely down below their shoulders.

I drank in the details of the picture with delight until I came to the thick haze that overhung it. Through the meshes of each veil a tube of tobacco was thrust, and every pair of dainty lips gave its continual contribution to the cloud of smoke that dwelt around the little group like a halo of universal sanction.

Out of respect to the statements of other people which the narrative of my experience may seem to contradict, I wish to say that I have found the native of the interior of Luzon an astonishingly different character from the one ordinarily met in Manila. Previous to my journey I regarded those whom I had encountered in that city with great dislike, and after my return I was unable to overcome that feeling. They are not a fair sample of the race, and I can not expect anyone who has formed his judgment on the subject merely from observations of that type to express an opinion similar to mine as recorded above.

#### THE MILITARY FILIPINO.

[From The Outlook, September 23, 1899.]

[By Leonard R. Sargent.]

The provisional government which assumed control of Filipino affairs at Luzon Island after the downfall of the Spanish power was a military one. The president of the so-called republic was general of the army and had at his command all the forces of the state, while military officers filled the high positions throughout the provinces. It was continually asserted by those in power that this disposition of the control of affairs had been resorted to merely to tide over the existing emergency, and that it should continue only until the establishment of a permanent peace.

As long as it remained in force, however, the concentration of power was absolute, and, moreover, no change of government could be contemplated without the cooperation of the controlling class. In the event of peace the population hoped to see the reins of government placed in their hands, but if opposition were offered, they certainly had not the power to seize them. The military class controlled the situation, and with it, in great measure, the destiny of the people. Accordingly as they were actuated by motives of patriotism or of personal ambition they could, if unmolested, inaugurate a just and liberal government or they could set upon the galled shoulders of their race a yoke as cruel as that they had just cast off.

It will never be known how they would have stood this crucial test. The peace they had anticipated is further from them now than ever, and it has been decreed that a stronger power should relieve them of the responsibility of the vital decision. Yet they have not been deprived of importance. They still retain the official voice of their people, and it is with them that our nation is now at war. In view of their present preeminence in Luzon affairs, past, present, and future, some interest must attach to every observation of their character, especially to such as tend to show to what extent they represent the feelings and aspirations of the great mass of the Filipino population, and in what measure they have at heart the truest interests of their race.

The leaders of the military element have been drawn, almost without exception, from the younger generation of that enlightened class of Filipinos of which I have spoken in a previous article as existing everywhere throughout Luzon Island. They possess, of course, many qualities in common with their older kinsfolk, in whose charge they have been reared; and yet they differ from them so significantly on many points as to deserve particular attention. The characters of men are not set to such rigid lines as to remain unchanged by the sudden attainment of authority, and the Filipino, like his brother of every other land, assumes a new demeanor with his uniform of office.

Throughout the period of my association with both classes I found the distinction apparent between civilians and military officers. Had Mr. Wilcox and I been provided for our journey with the customary credentials required of travelers in that country, many of the evidences of this difference which came to our notice would have been missing. Starting without passports, however (in fact, after having been refused them by Aguinaldo), our status was such as to invite all possible arrogance on the part of the officials, while throwing the most favorable light upon the open hospitality of the citizens.

Under the circumstances, I am inclined to think that there was a surprising lack of arrogance in the attitude which the officials assumed toward us. Yet there was a dignity in their bearing, and in some cases a coldness, caused by their suspicions of the motive of our journey, which were entirely lacking in their civilian countrymen. "Armor is heavy, but it is a proud burden, and a man standeth straight in it." So these young Filipinos, vested with the authority of their office and supporting the responsibility of their duty toward the state, assumed a manner and more independent bearing than the genial and conciliatory one of the older men.

In the opposition which they frequently offered to our plans we found much that was inconvenient, but nothing that was unreasonable from their point of view. We found them hard to cajole, or to "bluff," or to move by any means other than a fair and open statement which they could clearly understand. Before the end of the journey we came to regard the military Filipino as the only stumbling block to our progress. And yet, in spite of the annoyance he caused us and of the frequent changes in our itinerary induced by his persistent opposition, we learned to admire him far beyond his simpler and more amiable countrymen.

At the time of our journey the patriotic enthusiasm of the population was everywhere at its height. The boast of every inhabitant was the national army whose organization was then being rapidly perfected. Commissions were eagerly sought by the young men of the higher class, and there were more volunteers for service in the ranks than could be armed or uniformed.

It was universally asserted that every preparation should be made to defend the newly won independence of the island against all foreign aggression. The older Filipinos, especially those of wealth and influence, declared their desire to give every support in their power to the cause, and were as much a part of the warlike movement as those who actually took up arms. The great majority of the latter, both officers and enlisted men, were extremely young. I have met a brigadier-general of 21 years of age, many captains of 18, and lieutenants of 15 and 16. Captain Natioidad, a particularly young officer of that rank and a member of a prominent Luzon family, explained that it was the aim of his government to rest its defense in the field in the hands of those of its supporters who were at that age that is most forcibly swayed by the love of military glory. For the desperate encounters that might await its army in the future it desired that sort of valor of which discretion is not the better part.

That the civil power should be placed in the same hands was a dangerous

experiment, but at the same time a necessary one. The first object of the Filipinos had been to win their independence; the next was to defend it. For both these purposes they had need of their best fighting material, and the selection was made accordingly. The result proved more fortunate than there had been any reason to hope. While exercising absolute authority throughout the island and governing entirely by military law, the leaders of the army appeared, nevertheless, to endeavor to mete out justice to all classes alike. They continued, moreover, to assert their intention to relinquish their temporary power when the establishment of a permanent peace should make such a step possible, and gave most encouraging proof of the good faith with which they spoke.

At Aparri we saw proof also of the extent of Aguinaldo's authority. Four natives had been tried for robbery and attempted murder and had been sentenced to death. At the time of our visit they were awaiting the arrival from Malolos of the ratification of their sentence by the president.

Everywhere we traveled the greatest loyalty toward Aguinaldo was expressed. Now, at the time of his reverses, it is possible, though I am far from convinced, that he represents but one element of his people; then, in his prosperity, he certainly represented them all—at least in northern Luzon.

At that time the enthusiasm of the people was tuned to the highest pitch. In every village every man was training in arms. Companies were formed of boys from 8 years of age upward. Wooden guns were furnished them and they were drilled systematically every day. The women also were imbued with the spirit. Many and many a time have the people of a village gathered in the large room of the "presidencia," where the paymaster and I were quartered, and put their whole hearts into the songs in which their patriotism found vent. Of these songs the national hymn was the favorite, and no one within hearing ever failed to join in the chorus:

Del sueño de tres siglos  
Hermanos despertad!  
Gritando, "Fuera España!  
Viva la libertad!"

(From your sleep of three centuries,  
Brothers, awake!  
Crying, "Away with Spain!  
Live liberty!")

After a delay of three days we were fortunate enough to catch a small coasting steamer, which took us around the northern end of the island and landed us on the western coast, at the northern end of the province of South Ilocos. From here we proceeded toward Manila. We wished to visit the interior provinces on this side of the island, but were prevented by the authorities. Already the hope was fading that freedom from Spain meant freedom of government. The feeling toward Americans was changing, and we saw its effect in the colder manner of the people and in their evident desire to hustle us along by the most direct road to Manila.

Although the spirit was evidently missing, we were nominally treated with every distinction. A mounted escort was furnished us, which rode ahead with guidons to clear the road.

#### REPORT OF TOUR THROUGH ISLAND OF LUZON.

MANILA, P. I., November 23, 1898.

SIR: 1. In obedience to your order, we herewith submit a report of the tour of observation of the northern part of the island of Luzon, undertaken by your authority during a leave of absence beginning October 5, 1898.

11. In the villages of Humangan and Lupao there are a few Spanish prisoners—priests, soldiers, and civil officials. We have seen representatives of each of these three classes in these towns. We could detect no signs of previous ill treatment nor of undue restriction. On the contrary, they appeared to possess the freedom of the town in which they lived.

12. The towns in this section are neither large nor important. Humangan, the largest, has not over two or three thousand inhabitants. The church, with the convent attached, is the largest building in each town; it is built of planed wood, whitewashed. There are three or four houses of planed wood in each town, the rest of the village consisting of grass huts. The presidents local and other local officers are native Filipinos. Most of them have received a certain amount of education at religious schools in Manila. They are intelligent men and are extremely eager to learn news from the outside world. Their knowledge of modern history and geography, however, is extremely limited, and their ignorance of current events is surprising. We brought them their first definite information with regard to Cuba and to their own present status.

One or two of them had heard of the congress at Paris, but no one had any idea as to its object, nor as to its relation to themselves. They were well grounded on only three points—the destruction of the Spanish squadron in Manila Harbor, the surrender of Manila, and the declaration by the Philippine government at Malolos of the independence of the islands and the establishment of a republican form of government, with Señor Aguinaldo as president. Even on these points the details they had received were very inaccurate. Between the towns of Rosales and Humangan there are two small villages, called barrios, varying in population from 1,000 to 3,000 inhabitants. We were thus enabled to sleep in a hut overnight, and avoid camping in the wet fields by the roadside. These barrios are under the jurisdiction of the nearest town or "pueblo."

There were soldiers in each town, but not more than 20 in any place, and there was no commissioned officer in the district. We were cordially received everywhere, not only by the heads of the town, but also by the laboring and farming people, who always saluted us in a friendly manner when we passed. On leaving each town our interpreter was presented by the presidente local with passes. These passes always included our native servants and packmen and sometimes ourselves as well. They were good only to the next town, and secured a comparatively prompt exchange of packmen. We were never allowed to take any men farther than to the next town without permanently attaching them to our party. It is the duty of the presidente local of each town to do his share in facilitating the journey of every properly accredited traveler. Usually the assistance brings him in a pecuniary return. The duty then becomes a privilege, and is very zealously guarded.

41. At Aparri we went alongside the *Philippina* and reached the wharf by crossing this vessel. We were met on board by Commandante Leyba, military commander in the province of Cagayan. We were taken to a private house, where we were quartered during our stay at Aparri. Here we met Colonel Tirona, commander of the military district, including the provinces of Nueva Vizcaya, Isabella, and Cagayan. He welcomed us cordially and continued from that time to treat us in a very friendly manner. We remained at Aparri three days, until the departure of the steamer *Oslo*, November 9.



42. The steamer *Saturnas*, which had left the harbor the day before our arrival, brought news from Hongkong papers that the Senators from the United States at the congress at Paris favored the independence of the islands with an American protectorate. Colonel Tirona considered the information of sufficient reliability to justify him in regarding the Philippine independence as assured and warfare in the island at an end. For this reason he proceeded to relinquish the military command he held over the provinces and to place this power in the hands of a civil officer elected by the people. On the day following our arrival in Aparri the ceremony occurred which solemnized this transfer of authority in the province of Cagayan.

The presidents locales of all the towns in the province were present at the ceremony, conducted by a native priest. After the priest had retired Colonel Tirona made a short speech, stating that, since in all probability permanent peace was at hand, it became his duty to relinquish the authority he had previously held over the province, and to place it in the hands of a civil officer elected by the people. He then handed the staff of office to the man who had been elected "jefe-provincial." This officer also made a speech, in which he thanked the disciplined military forces and their colonel for the service they had rendered the province, and assured them that the work they had begun would be perpetuated by the people of the province, where every man, woman, and child stood ready to take up arms to defend their newly won liberty, and to resist with the last drop of their blood the attempt of any nation whatever to bring them back to their former state of dependence.

His speech was very impassioned. He then knelt, placed his hand on an open Bible, and took the oath of office. He was followed by the three other officers who constitute the provincial government, the heads of the three departments—justice, police, and internal revenue. Every town in this province has this same organization. At the time of our departure Colonel Tirona planned to go within a few days to Ilagan and from there to Bayombong, repeating this ceremony in the capital city of each province.

#### INTELLIGENCE AND EDUCATION OF THE NATIVES.

53. The Philippine officers, both military and civil, that we have met in all the provinces we have visited, have, with very few exceptions, been men of intelligent appearance and conversation. The same is true of all those men who form the upper class in each town. The education of most of them is limited, but they appear to seize every opportunity to improve it. They have great respect and admiration for learning. Very many of them desire to send their children to schools in the United States or Europe. Many men of importance in different towns have told us that the first use to be made of the revenues of their government, after there is no more danger of war, will be to start good schools in every village. The poorer classes are extremely ignorant on most subjects, but a large percentage of them can read and write.

#### POPULAR SENTIMENT REGARDING INDEPENDENCE.

57. Of the large number of officers, civil and military, and of leading townspeople we have met, nearly every man has expressed in our presence his sentiment on this question. It is universally the same. They all declare they will accept nothing short of independence. They desire the protection of the United States at sea, but fear any interference on land. The question of the remuneration of our Government for the expense of establishing a protectorate is never touched upon. On the subject of independence there is, again, a marked difference between the four provinces first visited and those of Ilocos Sur and Union. In the former there is more enthusiasm—the sentiment is more of the people; in the latter it is more of the higher class and of the army. In these provinces we have seen signs of actual discontent with the existing state of things.

#### ATTITUDE TOWARD THE UNITED STATES.

58. There is much variety of feeling among the Philippines with regard to the debt of gratitude they owe to the United States. In every town we found men said that our nation had saved them from slavery, and others who claimed that without our interference their independence would have been recognized before this time. On one point they are united, however, viz, that whatever our Government may have done for them, it has not gained the right to annex them.

With regard to the total force of the Philippine army, actual and reserve, we can not speak from our own knowledge.

Colonel Tirona claimed that 200,000 men from all the islands could be put in the field well armed; and several other officers have independently given the same figure. Every officer that we have seen carried a Spanish sword and revolver. They wear these weapons constantly, but regard them with contempt, preferring the bola at close quarters. The *Philippina*, which was at Aparri during our visit, carries two guns of a caliber of about 3 inches. These are the only guns we have seen, with the exception of two revolving cannons in the palacio at Malolos. We saw no fortifications. The Spaniards have left numerous stockades in the wilder regions, and the natives have built a few others.

There are also numerous barricades, thrown up during the insurrection. In the towns the Spaniards defended themselves in the houses for want of other protection. The military spirit pervades the eastern district, where every town and barrio has organized companies of its children, which are drilled every day. In the western districts we did not see any children under arms. The officers have had no military education except that which they gained during the insurrection. Spanish drill tactics are used, and most of the officers are still studying the elementary text-book.

Respectfully submitted,

W. B. WILCOX,  
Paymaster, U. S. N.  
LEONARD R. SARGENT,  
Naval Cadet, U. S. N.

[Indorsement.]

FLAGSHIP OLYMPIA,  
Cavite, P. I., December 1, 1898.

Approved and respectfully forwarded for the information of the Navy Department.

Special attention is invited to this interesting and carefully prepared report, which, in my opinion, contains the most complete and reliable information obtainable in regard to the present state of the northern part of Luzon Island.

GEORGE DEWEY,  
Rear-Admiral, U. S. N., Commanding Asiatic Station.

Correspondence before Iloilo, in the island of Panay.

HEADQUARTERS SEPARATE BRIGADE,  
Iloilo Harbor, P. I., December 30, 1898.

COMMANDING GENERAL,  
Department of the Pacific, Manila, P. I.

SIR: I have just concluded second conference with commission representing the native government at Iloilo. They submitted a communication, copy inclosed herewith.

This communication was supplemented by verbal statements that if we insisted on landing our troops, but without arms and as friends, they could not answer for the attitude of the people, but that the army would endeavor to restrain the people. If we landed in force they would not answer for the attitude of either army or people. This means, plainly, armed resistance to our landing.

A large number of native troops have been brought to the city within the past thirty-six hours. Best estimate 12,000, 2,500 of which are armed with rifles, the remainder being armed with bolos only. Their ammunition supply reported limited.

The situation is further complicated by petition of Iloilo merchants, representing the larger part of mercantile interests there, copy of which find herewith.

I understand, General, that it was at the request of many of the parties signing this petition for protection of life and property at Iloilo that this expedition was organized and dispatched to this point; that their request was largely its justification.

Their present attitude contradicts their previous petition in a measure, and as the situation, if forced by me, by a landing of United States troops, promises great loss of life among noncombatants and destruction of private property at Iloilo I have deemed it best to delay compliance with my orders for a sufficient time to communicate the above information to you and receive your instructions. I am further influenced to this delay because of the fact that before making the formidable attack upon Iloilo now necessary it would be incumbent upon me to give the usual notice looking to the removal of noncombatants to points of safety.

I entertain no doubt of my ability to take and hold Iloilo with my present force, but in view of excitement prevailing among inhabitants of the city and island, as reported to me, and the large number of people assembled in the city, it might be prudent to send an additional regiment to this point.

Two steam launches suitable for towing rowboats for use in landing troops are much needed.

Very respectfully,

M. P. MILLER,  
Brigadier-General, Commanding.

[Translation of the letter from President Lopez, of the federal government of Bisayas, to General Miller.]

GENERAL: Upon the return of your commissioners last night we determined and discussed in a definite manner the situation and the attitude of this reason of Bisayas, in regard to its relations and dependence upon the central government of Luzon, and in view of what these commissioners have manifested, I have the honor to notify you that, in conjunction with the people, the army, and committee, we insist upon our pretension not to consent, in our present situation, to any foreign interference without express orders from the central government of Luzon, upon which we state once more that we depend, and with which we are one in ideas, as we have been until now in sacrifices.

Therefore, if you insist on your side upon disembarking your forces, this is our final attitude.

May God give you, etc.  
Iloilo, December 30, 1898.

R. LOPEZ, President,  
Vice-Secretary.

To General MILLER.

To which General Miller replied on same date, as follows:

HEADQUARTERS FIRST SEPARATE BRIGADE,  
EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
Iloilo Harbor, P. I., December 30, 1898.

Mr. ROQUE LOPEZ,  
President Estado Federal de Bisayas, Iloilo.

SIR: I have the honor to express my regret that your committee has concluded to offer armed resistance to the occupancy of Iloilo by the United States forces at this time. I shall wait for the present in a spirit of friendship, hoping that your opinions may change after reconsideration. I will give you timely notice of my intentions.

Very respectfully,

M. P. MILLER,  
Brigadier-General, U. S. V., Commanding.

On the 31st of December the president, R. Lopez, wrote a second letter couched in the following language:

GENERAL: I heartily concur in your wishes, which is also ours, to arrange matters in a spirit of good friendship; but not having the power to surrender the city and the port of Iloilo, which having been taken by our forces in the name of the Filipino republic, whose central government resides in Malolos, I regret finding myself in the position of persisting in not consenting to the landing of your forces without the direct orders of the central government.

I trust that you will see the justice of our claim compacted by the will of the people explicitly declared last night at the great meeting called for the purpose.

May God give you, etc.  
The president,

R. LOPEZ.

PRESIDENT'S HOUSE IN THE CITY OF JARO,  
December 31, 1898.

On January 1 General Miller transmitted to Señor Lopez the instructions of His Excellency the President of the United States of December 28, relative to the administration of affairs in the Philippine Islands. In transmitting this proclamation General Miller wrote as follows:

HEADQUARTERS FIRST SEPARATE BRIGADE,  
EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
Iloilo Harbor, January 1, 1899.

Mr. ROQUE LOPEZ, President.

SIR: The within cablegram from the President of the United States to the United States military governor in the Philippines, transmitted by the latter to me yesterday, is inclosed herewith for the information of your committee and of the people of Iloilo and Panay Island. Its more important statements are:

I. That the destruction of the Spanish fleet in Manila Bay and the surrender of the Spanish army of occupation to forces of the United States, followed by the signing of the treaty of peace at Paris on the 10th instant, operate to give the future control, disposition, and government of the Philippine Islands to the United States.

II. It authorizes and directs the military commander in the Philippines to extend, with all possible dispatch, the military government heretofore maintained in the city, harbor, and bay of Manila to the whole of the Philippine group.



III. It directs that the military government to be established among you shall be exerted for the security of persons and property of the people of the island and for the conformation of their private rights and relations. It announces to you that the army does not come among you as invaders and conquerors, but as friends to establish and maintain a government which will accord to the people what is the heritage of all free peoples—the full measure of individual rights and liberty.

The forces here under my command have been sent to this point for the purpose of executing the above orders. Although fully conscious of my power to occupy the city at any moment, I have, nevertheless, waited, that you might have ample time to fully deliberate upon the questions presented. As indicated in the President's cablegram under existing conditions, the people of Panay Island owe obedience to the political authority of the United States, and grave responsibilities will be incurred if, after deliberation, it is decided to resist that authority. In obedience to my instructions, and in the belief that the highest interests of the people will be served by immediate occupation by the troops under my command and the establishment of the authority of the United States, I again express the desire that the native troops be withdrawn, thus assuring the entry of the forces under my command without unusual incident or menace to life and property interests in Iloilo.

I am, very respectfully,

M. P. MILLER,  
Brigadier-General, U. S. Volunteers, Commanding.

On January 9 General Miller received the following letter from Señor R. Lopez in reply to his of January 1:

General MILLER.

GENERAL: We have the high honor of having received your message, dated January 1, of this year, inclosing letter of President McKinley. We have deliberated about these points, and as a result of our deliberation we deduce an answer to one of its clauses. We are not able to enter into discussion respecting the others, because it is not in the power of this council of state.

You say in one clause of your message: "As indicated in the President's cablegram, under these conditions the inhabitants of the island of Panay ought to obey the political authority of the United States, and they will incur a grave responsibility if, after deliberating, they decide to resist said authority."

So the council of state of this region of Visayas are, at this present moment, between the authority of the United States, that you try to impose on us, and the authority of the central revolutionary government at Malolos. The supposed authority of the United States began with the treaty at Paris on the 10th of December, 1898. The authority of the central government of Malolos is founded in the sacred and natural bonds of blood, language, uses, customs, ideas, sacrifices, etc. It is also founded principally on our political constitution, which began with the insurrection, and has been manifested in all its doings, so that the authority of the government of Malolos over us began at a date long before the treaty of Paris.

Now, after consideration, please tell us with sincerity, General, what authority we should obey, whether the authority of the United States, which began with the treaty of Paris on the 10th of December, 1898, of which we do not know officially, because the revolutionary government of Malolos has not been notified, which government is based on previous conquest, anterior to the said treaty, and the natural bonds created by politics and the constitution established since the first moment of the rebellion, on the 11th of August, 1896.

After all has been said we insist in not giving our consent to the disembarkation of your troops without an express order from our central government of Malolos.

The president,

R. LOPEZ.

JARO, January 9, 1899.

On January 11 General Miller replied to the letter of Señor R. Lopez of the 9th, as follows:

HEADQUARTERS FIRST SEPARATE BRIGADE,  
EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
Iloilo Harbor, P. I., January 11, 1899.

Mr. R. LOPEZ, President Federal State of Bisayas.

SIR: I have the honor and pleasure to acknowledge receipt of your communication of January 9, and regret very much your final conclusion does not conform to the order of the President of the United States, which announces sovereignty over all these islands. You must rest assured in the end that the sovereignty will be maintained, whatever obstructions may temporarily intervene.

The President is very desirous for the people of the Philippine Islands to accept the authority of the United States as friends and without compulsion. You asked me in your letter to tell you, in sincerity, why your people should acknowledge authority of the United States now, rather than the authority of your central government. The President's order tells why you should acknowledge the authority of the United States; that is because of the treaty of Paris, December 10, 1898. The United States, in naval and land battles in Cuba, Porto Rico, and Manila, compelled Spain to relinquish authority over the Philippine Islands to the United States.

To this end she expended millions of dollars and thousands of lives, causing first the adoption of the protocol and finally the treaty. Every nation in the world recognizes the treaty as giving to the United States the same rights in the Philippine Islands as Spain formerly possessed. These rights of our Government were duly considered at Washington prior to the President issuing his order, and no doubt, on the best legal advice in accordance with international law. I might say that the confederation of which you claim to be a part is not now acknowledged by any nation, and its existence is only accidental as a result of the war between Spain and the United States.

Very respectfully,

M. P. MILLER,  
Brigadier-General, U. S. V., Commanding.

Also as follows:

HEADQUARTERS FIRST SEPARATE BRIGADE,  
EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
Iloilo Harbor, P. I., January 11, 1899.

Mr. R. LOPEZ, President Federal State of Bisayas.

SIR: I would be glad at any time to receive any of your people, and especially yourself, who wish to consult me, on board the *Newport*. They will be safe and can return at their pleasure. We are making no seizures of boats

or property except that necessary to maintain our existence here on transports.

Very respectfully,

M. P. MILLER,  
Brigadier-General, U. S. V., Commanding.

On the same date Acting Asst. Surg. Henry Du R. Phelan appeared before the general committee of the so-called Estado Federal de Bisayas, Iloilo, and concerning which he submits the following report:

Report of an interview between Lieut. Henry Du R. Phelan, acting assistant surgeon, Sixth Artillery, with the government of the Federal State of Bisayas.

ILOILO, January 11, 1899.

At the meeting were present, President Roque Lopez and Gens. Martin Delgado, Ananio Diocno, Pablo Araneta, chief of expeditionary forces from Manila, and various other military chiefs; Lawyer Raimundo Melliza; Francisco Soriano, and others.

General Miller's letter was presented and handed over to the interpreter, and also the letter of Major-General Otis, which was given by General Miller to Lieutenant Woodward to be read before the meeting. Both these letters were then read and the discussion opened. Lawyer Raimundo Melliza did most of the talking on behalf of the government, and he said in effect, replying to General Miller's letter, that all that the Americans owned was Manila. I said: "Without us you would not have accomplished any results. When the war commenced there was actually no rebellion in these islands, and you took advantage of our war and again rose in revolt. At the beginning of it your chiefs were not here, having fled the country."

The president and the lawyer denied this, saying that their chiefs had gone abroad to purchase arms, and that although they were not in actual warfare, their government was still in existence, and, in fact, they had been in constant rebellion since 1896, since Spain had never lived up to her agreement with Aguinaldo at the time of his withdrawal from the country. Referring to the sacrifices of lives and money which the United States had made in conquering this country, the lawyer said that they also had made great sacrifices in lives, and that they had a right to this country, which they had fought for, and that we are here now to take from them what they had won by fighting; that they had been our allies, and we had used them as such; and that now we are not showing them any gratitude for the help they gave us.

I replied that we both worked together and had driven the Spanish out, and that they are now getting their liberty as a result. They felt hurt about the words "the sovereignty of Spain and of the United States," which appeared in our communications, and said it was simply changing from one to another, and, while they knew the Spaniards, they did not know us. I told them that we are different from any European nation, and of an entirely different character from the Spaniards; that the people of Manila like us; that we spent a great deal of money in their city, and that business was thriving there as it had not been before.

Mr. Melliza said it would take two years for them to know us, and meanwhile we would establish a military government here, taking charge of all their offices. I replied that military occupation was a necessity for a time, and that it was customary to establish one in new possessions, and that as soon as order was assured it would be withdrawn. All that we wish now is to control the custom-house, the post-office, the captaincy of the port, and to establish good order in the city. They smiled at this and remarked: "We have fought for independence and feel that we have the power of governing and need no assistance; we are showing it now. You might inquire of the foreigners if it were not so." They inquired the meaning of the word "Territory" as differing from State. I explained to them what a Territorial and a State government was, and assured them that their liberty would be practically as great under such Territorial or State government as if they were independent, and, moreover, that they would be free from any foreign interference.

Mr. Melliza replied, smilingly: "Since you say you are so friendly and wish to grant us so much liberty, why not have us a protectorate?" I told him that I had no power to discuss that; that our order was to occupy all the islands. They stated that their orders were not to allow us to disembark, and that they were powerless to allow us to come in without express orders from their government. I asked them why they had not communicated with Aguinaldo, adding that we had waited patiently for ten days for a reply. They said it was partly our fault, because they wanted us to give them a vessel to take their commission back to Manila. I told them that we had no vessels to spare.

Mr. Francisco Soriano, one of the commissioners on the transport *Newport* with us, took the floor and said: "On Wednesday evening before Christmas General Otis promised the commission sent by him on the *Newport* that they should ask the North Americans for a steamer in case they would be unable to solve some urgent questions regarding the government of the Bisayas, in order that they might consult the central government." This promise was made known to them, according to Francisco Soriano, by Mr. John MacLeod on the morning of December 25, 1898.

I asked what proof he had to offer, as I knew nothing of this promise. He replied that he had no written proof, as the promises were made verbally. I told him that the city was in our power, and that we could destroy it at any time, but we did not wish to commit a hostile act but wanted to land as friends. Lawyer Melliza replied that he cared nothing about the city; that we could destroy it if we wished; that it was not theirs, as the foreigners owned about all the property. "We will withdraw to the mountains and repeat the North American Indian warfare. You must not forget that."

In regard to the claim that we made of the Philippine Islands by right of conquest and treaty stipulations, Lawyer Melliza said: "International law forbids a nation to make a contract in regard to taking the liberty from its colonies. Iloilo was never surrendered to you; you have no right to it. It was ceded to us by General Rios, who, upon retiring, granted us our liberty, and thus recognized our independence." I replied that whatever agreement General Rios might have made with them at the time of his withdrawal from Iloilo was illegal, as it was posterior to the treaty of Paris. Lawyer Melliza replied that they knew nothing of the treaty of Paris, as they had not received any information concerning it; that they were bound by the central government of Luzon only.

I told them that their government was not recognized by any nation; that all the world was aware of the cession of the Philippines to the United States by the treaty of Paris. He replied that it mattered not, as they now had agents in Europe seeking recognition for their government. Upon inquiring when they had last heard of Aguinaldo, Lawyer Melliza replied that they had heard from him about January 5, 1899, via Capiz; that the message had been brought by Gen. Ananio Diocno and Gen. Pablo Araneta to the effect that Aguinaldo wanted the Bisayas government not to allow the landing of American forces until an agreement had been made with him.

They then requested once more that commissioners be sent to Malolos to obtain the orders of Aguinaldo, and desired them to be sent at once. I asked Lawyer Melliza if Aguinaldo said we could occupy the city would they agree to it. He replied emphatically they would.

At the conclusion of the meeting it was said that, as this question involved the integrity of the entire republic, it could not be further discussed here, but must be referred to the Malolos government.



## Correspondence before Cebu.

## REPORT OF COMMANDING OFFICER SUBDISTRICT OF CEBU.

HEADQUARTERS SUBDISTRICT OF CEBU,  
VISAYAN MILITARY DISTRICT, AND  
FIRST SEPARATE BRIGADE, EIGHTH ARMY CORPS,  
Cebu, P. I., July 23, 1899.

ACTING ADJUTANT-GENERAL,  
Visayan Military District, Iloilo, P. I.

SIR: I have the honor to submit the following report:

With this additional force it was considered desirable and practicable to extend our occupation to other parts of the island. This with a view of exploding certain absurd reports in circulation among the credulous natives as to the manner of people the Americans are, as well as to carry out the general instructions to be followed in the occupation of the towns of this island, which were in each case given, and are as follows:

"Take down and keep down the insurgent flag wherever found; respect the rights of persons and property in the territory occupied; treat the inhabitants thereof with equal and exact justice, at all times tempered with kindness, with a view to establishing friendly relations between the people of this island and the United States; set a good example for the natives by enforcing strict discipline in your own command; preserve law and order, but in so doing avoid bloodshed or trouble of any kind if possible, and meet such other and future emergencies as may unexpectedly arise (and which it is impossible to anticipate, and therefore cover by specific orders) by the exercise of that God-given intelligence that an officer is presumed to possess as a prerequisite to holding a commission in the Army of the United States."

On June 16, Company I, Twenty-third United States Infantry, under command of First Lieut. F. G. Stritzinger, Jr., occupied the town of San Nicolas, taking quarters in the public tribunal. The occupation of San Nicolas was consummated without trouble or disagreeable incident of any kind, and the tribunal was taken as quarters with the consent of the president of the junta popular, given at a conference with the commanding officer of this subdistrict, the former at the same time expressing the pleasure and security our occupation would give the people of his town.

On June 17 I was surprised at receiving a communication, written in Spanish, from this self-same president of San Nicolas, a translated copy of which is as follows:

"The president of this town of San Nicolas, representing all its junta popular and neighborhood, whose opinion, expressed in a mass meeting held to-day, protests to the troops of the army of occupation and before the civilized world against the act taking place to-day—of the said army placing its flag on the tribunal of this town—which (act) is coupled in no wise with those boastings of civilization in this century, called the enlightened one."

"Then, according to the protest on the occupation of the place and the city of Cebu before the intimation made by the commander of the gunboat *Petrel*, of his nation, on the 22d of February last, and by lack of elements of resistance only, there was understood in said delivery the boundary of the city, pending the events in Manila, where resides Señor Emilio Aguinaldo, only chief of state (recognized?) in this archipelago, to whose dispositions in everything these inhabitants give heed."

"If the necessity of lodging is that which has obliged said forces to occupy this town, as their commander has intimated to the undersigned president, this town, obeying the hospitable sentiments of its inhabitants, gives up its dwellings, but there being no jurisdiction of the ground occupied and given as a principle they (the forces) can not fly thereon the flag of their nation; whereby it protests against said act, contrary to international right, against the integrity of the territory."

"San Nicolas, June 16, 1899."

[Seal of junta popular.]

"SANTIAGO FERRARIS."

The day following the receipt of this communication the president and his minister of justice called to advise me that the protest was filed for the sole purpose of pacifying a small and lawless element of the people of the island, who are opposed to American occupation, but whom they feared would assassinate them (the junta popular) in case they did not thus openly protest; but that, in fact, the better element of the town and island were glad of our occupation and the security it guaranteed the people in the town, and that they were delegated by the better citizens of their community to supplement the protest filed with these assurances.

Very respectfully,

THOS. R. HAMER,

Lieutenant-Colonel First Idaho Volunteer Infantry, Commanding.

In view of the verbal intimation made by the commanding officer of the U. S. S. *Petrel*, of the United States squadron, to this government, demanding the surrender of the garrison and city of Cebu, to be accompanied by the hoisting of the American flag in the peremptory term of fourteen hours, the assembly magna, convoked for its consideration, and the members of which are representative of all the vital forces of the country, agreed unanimously to accede to said demand in view of the superiority of the American forces; but without omitting to point out that neither the government of this province nor any of the inhabitants thereof have the power to conclude decisive acts prohibited by the honorable president of the Filipino republic, Señor Emilio Aguinaldo, our legitimate ruler, recognized as such in virtue of his indisputable capabilities of just government and illustrious generalship and universal suffrage.

Sad and painful is the situation of this city, without means of defense and obliged to act contrary to its own convictions; in view of which it declares before the whole world that the occupation of this town is not based on any of the laws which form the code of civilized nations, which could hardly expect to behold such scenes at the end of a century called the enlightened one.

We are told of conquests, of protectorates, of cessions made by the Spaniards; as if the archipelago, and especially our souls, were merchandise subject to barter, when a single one is worth more than a thousand worlds of that metal called vile, perhaps for the reason that it fascinates as the eyes of a serpent.

But, be that as it may, of all this the commanding officer must treat, as already stated, with Señor Aguinaldo, without whose acquiescence the act which is demanded from this government can not be legal.

A copy of this manifesto will be given to each of the consular agents established in this city, the greatest possible publicity will be given it, and we shall communicate with Aguinaldo, remitting him a copy of this document.

Given in Cebu, the 22d February, 1899.

LUIZ FLORES,  
The Commander in Chief.

The PRESIDENT pro tempore. The question before the Senate is on the amendment offered by the Senator from Utah [Mr. RAWLINS] in behalf of the minority of the committee.

Mr. TELLER obtained the floor.

Mr. PATTERSON. Will my colleague yield while I offer an amendment to the pending bill?

Mr. TELLER. Certainly.

Mr. PATTERSON. I offer an amendment to the pending bill. The PRESIDENT pro tempore. An amendment to the bill itself?

Mr. PATTERSON. Yes, sir.

The PRESIDENT pro tempore. The Senator from Colorado offers an amendment. Does the Senator from Colorado yield for this purpose?

Mr. TELLER. Certainly. Let it be read.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Add at the end of the bill a new section, as follows:

SEC. 8. That an act adopted by the United States Philippine Commission on November 4, 1901, entitled "An act defining the crimes of treason, insurrection, sedition, conspiracies to commit such crimes, seditious utterances, whether written or spoken, the formation of secret political societies, the administering or taking of oaths to commit crimes or to prevent the discovery of the same, and the violation of oaths of allegiance, and prescribing punishment therefor," be, and the same is hereby, repealed.

Mr. PATTERSON. Before my colleague commences his speech, I ask for a call of the Senate.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Cockrell,	Heitfeld,	Pettus,
Allison,	Cullom,	Hoar,	Proctor,
Bacon,	Dubois,	Jones, Nev.	Quarles,
Bailey,	Fairbanks,	Kean,	Rawlins,
Bate,	Foraker,	Kearns,	Scott,
Berry,	Frye,	Lodge,	Simmons,
Beveridge,	Gallinger,	McCumber,	Simon,
Burton,	Gamble,	McEnery,	Spooner,
Carmack,	Gibson,	Mallory,	Teller,
Clark, Mont.	Hale,	Martin,	Wellington,
Clark, Wyo.	Hansbrough,	Patterson,	Wetmore.
Clay,	Hawley,	Perkins,	

The PRESIDENT pro tempore. Forty-seven Senators have responded to the roll call. There is a quorum present.

Mr. TELLER. Mr. President, there is an amendment, which I offered some days ago, pending. I should like to ask the Senator who has the bill in charge whether he is willing to accept that amendment or not?

Mr. LODGE. My attention was called away.

Mr. TELLER. I want to know whether the Senator who has charge of the bill is willing to accept the amendment, that I offered the other day, to extend the Constitution and laws of the United States to the Philippine Islands?

Mr. LODGE. Let the amendment be read.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary read Mr. TELLER's amendment, submitted on the 28th ultimo, to add to the bill the following as an additional section:

SEC. 8. That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Philippine Archipelago as elsewhere within the United States.

Mr. LODGE. I do not accept that amendment at this stage.

Mr. TELLER. I will address myself to that question, I think, this afternoon, but before doing so I wish to offer another amendment to come in as an additional section. I send it to the desk, and I should like to have it read and printed.

The PRESIDENT pro tempore. Does the Senator desire that the amendment shall be read now?

Mr. TELLER. I wish to have it read, and then I want to have it printed.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Add as a new section at the end of the bill the following:

SEC. —. That it is not intended by the Government of the United States to permanently annex the Philippine Islands as an integral part of the United States, but it is the determination of the United States to establish, with the consent and assistance of the inhabitants thereof, a government or governments suitable to their wants and condition, and that shall give to the inhabitants the control and administration of their local affairs, such as the raising of revenue and the disposition thereof, the maintenance of peace and order in the several communities of said islands that has been or that may be organized by the people thereof.

That there is no intention on the part of the Government of the United States to deprive the people of said islands of their liberties or to subjugate or oppress them, but, on the contrary, to secure to them the blessings of a free government of their own choice that shall recognize and protect the rights and interests of all the people of said islands.

That it is necessary to the establishment of such government that peace and order shall prevail on said islands, in order that the people thereof may be enabled to exercise the rights of freemen and to have free expression of their wishes in the form and character of the government under which they desire to live.

To this end the Government of the United States will at all times cooperate with the peaceably disposed inhabitants in the formation of such governments, and will defend and protect such government or governments so organized from any foreign interference or attempted control by foreign powers until such government or governments shall be able to defend themselves.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.



Mr. TELLER. Mr. President, I do not know whether it is in order as an amendment.

The PRESIDENT pro tempore. It is not at present.

Mr. TELLER. Then I will give notice that I shall move it at the proper time.

Mr. President, the greatest question that the American people have considered since the close of the civil war has been before the Senate for the last two or three weeks. The Senator who has the bill in charge gets somewhat impatient that there is not more expedition. We have had to-day a carefully prepared speech by the senior Senator from Washington [Mr. TURNER], which was listened to with great interest by some of us, and yet it seems to attract no particular attention on the other side of the Chamber. I observed during the day that from 7 to 12 Senators would be the greatest number seen on the other side almost all the time after the speech commenced. So I can not myself hope to receive any particular attention from the other side of the Chamber.

I am not going to submit the remarks that I am about to make for the sake of making a speech. I am going to put myself on record upon this question. I am going to leave for those who may come after me my protest against certain things and my disapproval of certain things as I see them.

And, Mr. President, I am not going to be disturbed by the unparliamentary and indecent charge that shall be made here, and has already been made, against those of us who do not agree with the Administration policy, that we are less patriotic and less interested in the welfare of the Republic than those who see fit to pursue a policy unheard of in American legislation, who see fit to depart from the fundamental principles upon which this Government has been administered for more than a hundred years, and then charge that all those who do not agree with them are moved either by intense partisanship or because they have not the welfare of the Republic at heart.

I heard the other night, as we were in the closing hours of the day's session, a Senator sitting a few seats from me charged with being guilty of treason, and it was stated on the floor of the Senate that if he was not shielded by his position as a United States Senator he would come within the provisions of the Constitution and the statute against treason. I do not know that I shall submit myself to the criticism that he did, but, Mr. President, I want to say before I proceed to take up the discussion of this question that no suggestion of that kind with reference to me will deter me from saying what I think I ought to say on this floor. It is not worth while for me to express my astonishment as a lawyer that in a body composed very largely of lawyers, and who are supposed to be familiar with constitutional law, anyone should have ever made such a suggestion.

Mr. President, away back in the early history of this Government of ours the courts of the United States settled what is treason. The Constitution, with a deliberation and a care that perhaps could be found in no other constitution in the world on that subject, defined what treason is. And why did the framers of the Constitution define it? Under the pretense of a lack of allegiance and devotion to the sovereignty of a nation have been committed the worst crimes in the history of mankind. It was easy for the king to say, You are guilty of treason. It is easy yet in some parts of the world. But, Mr. President, in the days of British absolutism it sometimes occurred, and yet no court in Great Britain would have ever declared that the expression of sympathy with rebellion, even at home in Great Britain, was an overt act and that the parties would be guilty of treason. Our Constitution made it impossible that mere words of themselves, unaccompanied by overt and forcible acts, could be treason.

I do not think it is necessary that I should acquit the Senator from South Carolina [Mr. TILLMAN] of this charge. I suppose the charge was lightly made, and I suppose the Senator who made it thought it was a matter of very little consequence to stand up here and charge a Senator with being guilty of treason. Treason is the crime of crimes; it has been said a crime so great that there is not any accessory to treason either before or after the fact. A man must either be guilty of treason or he is not guilty of anything relating to treason. He may be guilty of sedition; he may be, under some of the modern laws we have heard of, amenable to the penalties provided by them, but no man is guilty of treason unless he does some overt act. I might stand here for weeks and express my sympathy with the Filipinos, if I choose to do so, and I should not be guilty of treason.

I do not intend at this particular moment to take up this most remarkable legislation, if you please to dignify it by that name, which we have had in the Philippine Islands. I shall, before I get through, address myself to that proposition. I shall attempt to show that the Senator from Ohio [Mr. FORAKER] wasted his time the other night by explaining that we were attacking statutes already on our statute books. It is true the Senator from Massachusetts [Mr. HOAR] complained that the imposition of the penalties prescribed in one of those statutes would be exceedingly severe

in any country, and that they never have been attempted to be put into force in the United States, even during the greatest internecine war that the world ever saw, with the passions of men on both sides perhaps as high as they ever could be raised.

If the Philippine statutes which were transmitted to us the other day should be read to-morrow, we would find that they are merciful and humane compared with the statute which was read here to which the Senator from Ohio gave his personal approval. I do not, however, intend to take up that question now; it is late in the afternoon, and I am going to discuss another phase of this question. When I get through with that I am going to stop, and resume to-morrow, provided, of course, the Senate will allow me to do so.

Mr. President, there was a question here in 1898 as to whether the Constitution by its own force and without the assistance of legislation went into the Territories of the United States. For myself I had no question on that point. I expressed myself very positively that the Constitution of the United States was not in the Philippine Islands, and could not get there until by some positive enactment of law we put it there. I also called the attention of the Senate then, as I mean to do now, to the fact that we have everywhere given to the Territories which we subsequently made States, by positive enactments, the protection of the Constitution so far as it was applicable.

When I say the Constitution of the United States does not go to the Philippine Islands without some positive declaration of law, I do not mean to assert that the great fundamental principles which underlie every republican government in the world do not go there, but they are not given to us by the Constitution; they belong to the form of government under which we live. Whenever you undertake to execute a law of any kind, you are restrained by those fundamental principles. Do you mean to say that anywhere in the United States you could try a man for a crime, acquit him, and then try him over again? I mean, of course, any place over which our jurisdiction extends. Do you mean to say that in any place where the jurisdiction of the United States extends you can compel a man to condemn himself, as is done in the French and Spanish courts, and in some of the other courts of Europe? Why, Mr. President, the attempt would be horrifying to the American people. Do you, Senators, who have heard that so-called law read, mean to say that there is any power that can be given to an American anywhere in the world to make any such laws?

If you create a legislative body anywhere and give it full power to legislate, do you suppose it could pass such a law as that? Do you suppose, when you gave to the President power to create and put there what you call a "commission," that you gave him the power, or that you gave the Commission the power, to pass a law which invades the liberty of the press, the freedom of the person, the liberty of speech, or the liberty of assembling together, as all free men have the right to do? Do you think that can be done anywhere and that the Constitution need to be there to make that an invalid act?

Mr. President, I want to put the Constitution of the United States over the Philippine Islands, and I know when it is put there it will not embarrass, as I shall be told it will on the other side of the Chamber, the administration of public affairs there. It will carry with it the writ of habeas corpus, but it will not carry with it the right of trial by jury. That must be done by positive law. If the Philippine Commission can legislate, as they profess they have a right to do and as they have tried to do, they might have given to those people trial by jury; but they have not attempted to do so. It will not do for anybody to get up here and say, "If you send the Constitution there, you are going to embarrass the administration of public affairs there by creating a condition not suitable to the people of those islands." I repeat, the extension of the Constitution over a given territory does not give the right to trial by jury where the law has not so provided.

The Supreme Court did say as to the Territory of Iowa and the Territory of Utah that they could not deprive their citizens of the right of trial by jury. But, Mr. President, the Constitution had been extended there, and the right of trial by jury had been given to those people. Subsequently amendments were made, which the courts declined to accept, stating that when the statute said a man should have a trial by jury it meant by a jury of 12 men of the neighborhood, and not 6. How did it come about that a jury must be composed of 12 men? Is it in the Constitution? No; it can not be found there; but it is the common-law jury; it is the jury of the English people; it is the jury which every lawyer recognizes when the statute uses that word; it is a part of the unwritten law that goes with English and with American law wherever it extends that a jury means 12 men, not 3, and not 6.

Why can we not put the Constitution of the United States in force in the Philippine Islands? We have already established a



court there. I do not know exactly upon what theory it has been established; but it professes, at least, to be a court, and I suppose that court would recognize the right of an imprisoned person to be tried before it to determine whether he is rightly imprisoned or not. Until a court is established in any Territory it is impossible that the writ of habeas corpus can be in force; but when it is established, I myself believe that then the court would be authorized by the general authorization to exercise the power the courts have always exercised in the issue of that writ.

Mr. President, I want to say here that that writ is not an English writ; it is not an American writ; it is a writ that came out of the old Roman law. That writ was in existence in Spain in 1250. It was called into exercise by the courts of that country even at that early day. When you have got the appliances and the opportunity the writ can be issued, and relief may be had under it; but there are some things that you can not have unless the Constitution is present and in force.

Who can give any reason why the Constitution should not be in force in the Philippine Islands? Why should it not be in force in Porto Rico? Why should it not be in force everywhere, so far as it is applicable, where the flag of the United States floats as the emblem of sovereignty and power?

Mr. President, we have not withheld the Constitution from any portion of our country. We declared in the very first instance after we had adopted it that the legislation in the Northwest Territory should be consistent with the Constitution, and that these fundamental principles, which are recognized in the Constitution, should extend, so far as they were applicable, there, and that in their legislation they must conform themselves to it. Later we declared that the Constitution should absolutely be in force and effect in Louisiana, in Missouri, and in various other Territories. I have a list of them here. I want to call attention to this matter for a few moments only. I am now speaking as to my amendment. As I have said, I am not going to take up the general question until I first dispose of this question.

In the early legislation regarding Florida and some other portions of the country we prohibited the exercise of certain powers which had been exercised by some legislatures in some parts of the world, such as the passage of laws impairing the obligation of contracts, etc. I am not going to waste time on that.

When we organized the Territory of Missouri in 1812 we provided:

The general assembly shall have power to make laws in all cases, both civil and criminal, for the good government of the people of the said Territory, not repugnant to or inconsistent with the Constitution and laws of the United States.

Provision was made that no ex post facto law should be passed, and various other matters were provided for.

When Wisconsin was organized into a Territory in 1836 this provision was made:

That the laws of the United States are hereby extended over and shall be in force in said Territory. And also that the laws of the Territory of Michigan shall be extended over the said Territory.

When Iowa was made a Territory in 1838 it was provided:

That the inhabitants of the said Territory shall be entitled to all the rights, privileges, and immunities heretofore granted and secured to the Territory of Wisconsin and to its inhabitants; and the existing laws of the Territory of Wisconsin shall be extended over said Territory, so far as the same be not incompatible with the provisions of this act, subject, nevertheless, to be altered, modified, or repealed by the governor and legislative assembly of the said Territory of Iowa; and further, the laws of the United States are hereby extended over and shall be in force in said Territory so far as the same or any provisions thereof may be applicable.

Oregon was made a Territory in 1848. The sixth section of the act creating the Territory provided:

That the legislative power of the Territory shall extend to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States.

By section 26 of the same act the revenue laws of the United States were extended over the Territory of Oregon, and on March 3, 1849, by a special act the revenue laws of the United States were extended over the Territory of California.

We organized the Territory of New Mexico in 1850. Section 17 of the organic act provided:

That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of New Mexico as elsewhere within the United States.

The Territory of Utah was organized in 1850. The organic act provided:

That the Constitution and laws of the United States are hereby extended over and declared to be in force in said Territory of Utah, so far as the same or any provision thereof may be applicable.

When Kansas and Nebraska were admitted there was an exceptional condition of affairs, as you all remember. This is the provision which was then made in the organic act:

That the provisions of an act entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," approved February 12, 1793, and the provisions of the act entitled "An act to amend and supplementary to the aforesaid act," approved September 18, 1850, be, and the same are hereby, declared to extend to and be in full force within the limits of said Territory of Nebraska.

Section 32 of the act provided:

That the Constitution, and all laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of Kansas as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, which, being inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislation of 1850, commonly called the "compromise measures," is hereby declared inoperative and void.

The Territory of Washington was organized in 1858. Section 6 of the organic act provided:

That the legislative power of the Territory shall extend to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States.

Mr. SPOONER. Will the Senator allow me to interrupt him?

Mr. TELLER. Certainly.

Mr. SPOONER. The Senator is making a very interesting speech, Mr. President, and I notice that there are only eight Senators on his side of the Chamber listening to him. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum being suggested, the Secretary will call the roll.

Mr. TELLER. There are as many Senators on this side as there are on the other side.

Mr. LODGE. Mr. SPOONER, and others. Oh, no.

Mr. TELLER. Very nearly.

Mr. ALDRICH. The Senator evidently miscalculates his influence.

Mr. BACON. He is calling the sinners, not the righteous, to repentance.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Cockrell,	Kean,	Pritchard,
Allison,	Culberson,	Kearns,	Proctor,
Bacon,	Cullom,	Lodge,	Quarles,
Baile,	Dillingham,	McComas,	Simmons,
Bate,	Fairbanks,	McCumber,	Spooner,
Berry,	Foraker,	McEnery,	Teller,
Beveridge,	Frye,	Mallory,	Turner,
Burrows,	Gamble,	Nelson,	Wellington,
Burton,	Hanna,	Patterson,	Wetmore,
Carmack,	Hansbrough,	Perkins,	
Clark, Wyo.	Hawley,	Pettus,	
Clay,	Hoar,	Phatt, Conn.	

The PRESIDENT pro tempore. Forty-five Senators have responded to the roll call. There is a quorum present. The Senator from Colorado will proceed.

Mr. TELLER. Owing to the unfortunate condition of affairs in Delaware, that State being without representation, I believe 45 constitute a quorum.

Since I sat down a Senator has said to me that he did not entirely understand my views upon the habeas corpus question. I want to make myself clear on that point. I think whenever a court is organized with general jurisdiction, that court can issue a writ of habeas corpus just as it can issue any other writ which is known to the practice of courts. The difference between that and a jury is, that while the court must take notice that a jury is composed of 12 men, yet there must be some method of calling the jury together. A jury is not composed of every 12 men who may be picked up; it requires machinery to determine who shall compose a jury; and for that reason, until there is legislation, it is utterly impossible to have a jury.

Perhaps I used another term which ought to be corrected, as Senators have asked me in regard to that also. I say the Constitution is put into the Territories practically when we declare that the Constitution shall be in effect in a Territory. That is practically enacting the Constitution into a law. It is a law now, but that is enacting it as a law for the Territory.

Mr. SPOONER. It is put there as a law?

Mr. TELLER. I suppose if it was concluded that the Constitution was not doing any good and might do harm Congress could repeal it, as they could repeal any other provision of law. That question was somewhat mooted and doubted in a certain case, where the Supreme Court raised the question whether when the Constitution had once been put in force it could be withdrawn; but I should say the Constitution is nothing but a law, though it can not be repealed in the usual way that a law can be repealed, so far as its relation to the States is concerned, because the Constitution itself provides how it shall be amended or changed.

Mr. President, to continue on the line I was pursuing when interrupted, section 16 of the enabling act, in the case of Colorado, provided:

That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Colorado as elsewhere within the United States.

Section 16 of the act to organize the Territory of Nevada, approved March 2, 1861, provided:

That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Nevada as elsewhere within the United States.



Section 16 of the act to provide a temporary government for the Territory of Dakota, which included the present States of North and South Dakota and a portion of Wyoming, provided:

That the Constitution and all laws of the United States are made applicable to the Territory.

Section 3 of the enabling act of Arizona provided:

That there shall neither be slavery nor involuntary servitude in the said Territory otherwise than in the punishment of crimes whereof the parties shall have been duly convicted; and all acts and parts of acts, either of Congress or of the Territory of New Mexico, establishing, regulating, or in any way recognizing the relation of master and slave in said Territory are hereby repealed.

Section 13 of the act to provide a temporary government for the Territory of Idaho provided:

That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Idaho as elsewhere within the United States.

Section 13 of the act to provide a temporary government for the Territory of Montana, approved May 26, 1864, provided:

That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Montana as elsewhere within the United States.

The act approved June 25, 1868, to provide a temporary government for the Territory of Wyoming, in section 16 provided:

That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Wyoming as elsewhere within the United States.

The act to provide a temporary government for Oklahoma Territory, approved May 2, 1890, provided:

That the Constitution and all the laws of the United States not locally inapplicable shall, except as far as modified by this act, have the same force and effect as elsewhere in the United States; and all acts and parts of acts in conflict with the provisions of this act are as to their effect in said Territory of Oklahoma hereby repealed.

Mr. President, I believe the Supreme Court in one of its latest decisions has held that the Constitution is not in force in the Philippine Islands. I confess that I speak with great hesitation when I refer to that decision, for I really have found some difficulty in determining exactly what the court has decided, although I do not have much trouble in finding what the judges have decided.

The Senator from Wisconsin [Mr. SPOONER] calls my attention to section 1891 of the Revised Statutes, which was enacted, I think, in 1862. I confess I had overlooked that. It is as follows:

The Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within all the organized Territories, and in every Territory hereafter organized, as elsewhere within the United States.

I should like to ask the Senator from Wisconsin if he thinks that carries the Constitution and laws of the United States to the Philippine Islands?

Mr. SPOONER. The Senator has thanked me for calling his attention to the section—

Mr. TELLER. I am obliged to the Senator for that, but I want further information from the Senator.

Mr. SPOONER. I think it does not.

Mr. TELLER. I agree with him. I do not think it does, because I do not believe it can be said that the Philippines are organized territory within the meaning of that section. It seems to me they are not. I do not know whether we shall have an organized territory there at all, because I have not had time to examine the bill in reference to it which is pending here and which, I am told, is to come up some time. Whether that will make it an organized territory within the meaning of that law I do not know.

If it should, then, of course, this amendment of mine would not be required; but inasmuch as I do not know whether that proposed statute is going to pass, I should like to have this amendment made a provision of law. I can conceive of no objection that can be made to saying that the Constitution and laws of the United States, so far as applicable, shall be in force in the Philippine Islands.

I believe, while I am on my feet and before I sit down, I will say another thing or two about the islands. I do not want anybody when I speak to-morrow, if I go on, to get up and ask me whether I approve of this thing that somebody has said or whether I disapprove of it. On this question I am going to act upon my own judgment and not somebody else's.

I committed myself very thoroughly in December, 1898, to the policy I thought we should pursue. I said in most unequivocal terms that we ought apply the principle of the fourth resolution to these islands. The resolution in words does not apply to these islands. That declaration, which we made to the world, was that we were not going into this intervention, and, as we knew, war, for the purpose of profit or gain, and we applied it only to Cuba. But I thought beyond that was the great declaration to the world that "we are not going after profit by this; we do not propose to take any islands; we do not propose to take land. We are not doing this for gain. We are doing this in behalf of humanity."

There is not a Senator here who will not recall the disturbance

which existed in Europe, as shown through the public press everywhere—in Germany, France, England, Italy, and Spain—where we were charged with duplicity and hypocrisy. It was said "the Americans are not going into this because they are disturbed by the unhappy condition of Cuba. They are going into it for expansion."

Mr. SPOONER. Will the Senator from Colorado allow me to ask him a question?

Mr. TELLER. Certainly.

Mr. SPOONER. Does the Senator regard the acquisition of Porto Rico as a violation of what is called the Teller resolution?

Mr. TELLER. I never complained of that, because the people of Porto Rico, I believe, wanted us to take jurisdiction of the island. I have never heard that these people complained, and if it had covered that, we would have had a right, of course, to have extended our protection to them in the shape we did extend it to them, if they wanted it.

I do not mean to say now that if the people of Cuba want to be annexed and we want to annex them, that we can not annex them under that provision, but I do say that we can not annex them unless they do agree to it, and they must agree to it with unanimity, not a few rich people who would be benefited financially, but the whole population.

Mr. BACON. Will the Senator from Colorado permit me to suggest, in response to the inquiry of the Senator from Wisconsin, that the action as to Porto Rico, if I recollect rightly, was distinctly put upon the ground that it was an equivalent for a war indemnity, which it was conceded Spain was not in a condition to pay.

Mr. TELLER. I understand the people of Porto Rico wanted us to take the island.

Mr. BACON. That is an additional reason.

Mr. TELLER. Yes, sir; that is a good reason, but it would not have been a good reason, in my opinion, if the people had objected.

Mr. BACON. I concede that.

Mr. SPOONER. I voted for that resolution, and I understood it to be a declaration by the United States to the world that we were not going into war with Spain for the purpose of making Cuba an American asset.

Mr. TELLER. That is true, that we were not going into it for the purpose of despoiling Spain, but to relieve the people of their distress.

I have seen it stated in the press within a few days that I introduced that resolution because I had some intimation that we were not going to do what the history of the Senate shows we declared we were going to do for two years. I intend to take up that question to some extent before this debate is over and show that we were in favor of independence of the island of Cuba. I repeat that the resolution was introduced by me for the purpose of its influence abroad. I do not know exactly how much trouble there was abroad, and I suppose we never shall know, either. It is a great controversy amongst the diplomats of the world whether it was England or France or Germany that proposed intervention in our affairs by saying we must keep our hands off of Cuba. I do not suppose there is anybody here who does not believe that there was such an attempt made.

Now, whether the inception was on the part of Great Britain, as the Germans and French declare, and Russia stood out and said "No," or whether it came from Austria, and Great Britain said, "If the rest of the great powers will go in, we will say to them 'keep your hands off,'" I do not know. But the fact that that is a subject of controversy amongst them shows that there was a sentiment at that time to charge us with attempting to do more than we were declaring we were doing, and to justify themselves in saying, "We must intervene to protect Spain from this despoiling power of the United States."

So I think myself, as the Senator from Wisconsin says, that it was a wholesome resolution; and some day I mean to take it up and show that the criticisms upon it, made, for instance, by my illustrious friend the Senator from Indiana [Mr. BEVERIDGE], that it was hastily done, are not correct. But I do not care about doing that to-night. That is a chapter by itself, which I propose to take up later.

I do not suppose we can get a vote on this proposition now. I should be delighted to hear some one who is not going to vote for it give me some reason why he is not, but I do not suppose anyone will. I suppose the majority here, having the power, will simply content themselves with voting it down, without any excuse. Then when they go to the public they will make the best excuse they can possibly think of. One Senator will be able to make one excuse as to why he did not vote for it, and another Senator will be able to make another as to why he did not vote for it. But it will be a most remarkable thing if the 10,000,000 people over there, whom it is said we are to keep and hold and maintain under our sovereignty, whether they will it or whether



they do not, shall share all the burdens and have none of the benefits of American law.

I am sorry myself that the Constitution did not follow the flag. I wish it had. I did not ever believe it did, and I do not believe now that the court erred in that matter. I do not believe the Constitution follows the flag. But it ought to follow the flag. It is in our power to make it follow the flag. But I do believe that the principles of free government follow the flag to the extent that no enactment, whether it be in the name of the President of the United States or in the name of the Congress of the United States, can violate certain great fundamental principles. One is the right of free speech. The other is the right of the people to assemble themselves together in orderly way, not a tumultuous way, but an orderly way; and the statute which was read by the Senator from Washington [Mr. TURNER] a few minutes since is a violation of every fundamental principle of free people and of free government.

However, I do not care to go on further to-night. I know that there will not be a quorum here a few minutes after I begin to speak, and while I am not very much disturbed whether there is a quorum or whether there is not, I do not care to commence at this late hour of the evening a speech which will probably last two or three hours.

Mr. LODGE. Of course, if the Senator from Colorado prefers to go on in the morning, that is perfectly agreeable to me. I do not care to press him to speak at this late hour if he does not desire to.

Mr. TELLER. Very well.

#### EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 11, 1902, at 12 o'clock meridian.

#### NOMINATIONS.

##### *Executive nominations received by the Senate February 10, 1902.*

#### PROMOTIONS IN THE NAVY.

Commander William A. Windsor, to be a captain in the Navy, from the 27th day of December, 1901, vice Capt. Richard P. Leary, retired.

Lieut. Commander William E. Sewell, to be a commander in the Navy, from the 21st day of January, 1902, vice Commander Edwin C. Pendleton, promoted.

Medical Inspector Nelson M. Ferebee, to be a medical director in the Navy, from the 26th day of January, 1902, vice Medical Director William K. Van Reyphen, retired.

Surg. Samuel H. Dickson, to be a medical inspector in the Navy, from the 26th day of January, 1902, vice Medical Inspector Nelson M. Ferebee, promoted.

#### TRANSFERS IN THE ARMY.

Maj. Frank F. Eastman, Twenty-eighth Infantry, to be commissary with the rank of major, with rank from April 1, 1901, vice Bullard.

Maj. Robert L. Bullard, commissary, to be major of infantry, with rank from April 1, 1901, vice Eastman, Twenty-eighth Infantry.

#### APPOINTMENT AS MEDICAL OFFICER OF VOLUNTEERS.

Edward A. Romig, of Michigan, late surgeon Fortieth Infantry, United States Volunteers, to be assistant surgeon United States Volunteers with the rank of captain, February 5, 1902, vice Shelby, appointed surgeon.

#### APPOINTMENTS IN THE ARMY.

##### TO BE FIRST LIEUTENANTS.

##### *Artillery Corps.*

Richard K. Cravens, of the Indian Territory, late first lieutenant, Fortieth Infantry, United States Volunteers, September 23, 1901, to fill an original vacancy.

Harry J. Watson, of Pennsylvania, late captain, Tenth Pennsylvania Volunteers, September 23, 1901, to fill an original vacancy.

##### TO BE SECOND LIEUTENANTS.

##### *Cavalry Arm.*

Thomas P. Bernard, of the District of Columbia, late sergeant, Company B, Forty-seventh Infantry, United States Volunteers, February 2, 1901, to fill an original vacancy.

Thomas A. Rothwell, of New York, late hospital steward Twenty-second New York Volunteers, February 2, 1901, to fill an original vacancy.

##### *Artillery Corps.*

Charles J. Ferris, of the District of Columbia, late corporal, Company G, Thirty-first Infantry, United States Volunteers, August 22, 1901, to fill an original vacancy.

Guilford S. Garber, of Indiana, late first lieutenant, Thirtieth Infantry, United States Volunteers, August 22, 1901, to fill an original vacancy.

Charles G. Mortimer, of the District of Columbia, late quartermaster-sergeant, First District of Columbia Volunteers, August 22, 1901, to fill an original vacancy.

Harry H. Seckler, of Kansas, late first lieutenant, Twentieth Kansas Volunteers, August 22, 1901, to fill an original vacancy.

Brainard Taylor, of Massachusetts, late private, Company A, Sixth Massachusetts Volunteers, August 22, 1901, to fill an original vacancy.

James B. Taylor, of Pennsylvania, late sergeant, Company H, Forty-second Infantry, United States Volunteers, August 22, 1901, to fill an original vacancy.

Charles E. Wheatley, of Vermont, to be second lieutenant, February 1, 1902.

##### *Infantry Arm.*

Robert L. Meador, of Georgia, late sergeant, Company A, Third Georgia Volunteers, February 2, 1901, to fill an original vacancy.

Charles M. Blackford, of Virginia, to be second lieutenant, February 2, 1901.

Fay W. Brabson, of Tennessee, to be second lieutenant, February 2, 1901.

Leighton Powell, of Illinois, to be second lieutenant, February 2, 1901.

##### POSTMASTERS.

Frank H. Greene, to be postmaster at Geneseo, in the county of Henry and State of Illinois, in place of Eugene H. Ash, removed.

William M. Hazzard, to be postmaster at Georgetown, in the county of Georgetown and State of South Carolina, in place of Robert B. Anderson, removed.

Frank L. Powell, to be postmaster at Lemoore, in the county of Kings and State of California. Office became Presidential January 1, 1902.

Lucian Bullard, to be postmaster at Forrest, in the county of Livingston and State of Illinois. Office became Presidential October 1, 1901.

George M. Allen, to be postmaster at Cherryfield, in the county of Washington and State of Maine. Office became Presidential January 1, 1902.

Elmer E. Dyer, to be postmaster at Medford, in the county of Burlington and State of New Jersey. Office became Presidential January 1, 1902.

James W. Kelley, to be postmaster at Tuckerton, in the county of Ocean and State of New Jersey. Office became Presidential January 1, 1902.

Eli R. Marsh, to be postmaster at Williamstown, in the county of Gloucester and State of New Jersey. Office became Presidential January 1, 1902.

Eli C. Tolley, to be postmaster at Kenmare, in the county of Ward and State of North Dakota. Office became Presidential January 1, 1902.

Charles E. Johnson, to be postmaster at Bridgewater, in the county of McCook and State of South Dakota. Office became Presidential January 1, 1902.

William G. Arnold, to be postmaster at Clear Lake, in the county of Deuel and State of South Dakota. Office became Presidential January 1, 1902.

Niels C. Poulsen, to be postmaster at Richfield, in the county of Sevier and State of Utah. Office became Presidential January 1, 1902.

Charles F. Rankin, to be postmaster at Brewton, in the county of Escambia and State of Alabama, in place of Nicholas G. Schad. Incumbent's commission expires February 16, 1902.

Austin Wiley, to be postmaster at Arcata, in the county of Humboldt and State of California, in place of Austin Wiley. Incumbent's commission expired January 10, 1902.

George B. Baer, to be postmaster at Cloverdale, in the county of Sonoma and State of California, in place of George B. Baer. Incumbent's commission expired January 10, 1902.

Richard M. Ryan, to be postmaster at Gilroy, in the county of Santa Clara and State of California, in place of Richard M. Ryan. Incumbent's commission expired January 10, 1902.

Allen B. Lemmon, to be postmaster at Santa Rosa, in the county of Sonoma and State of California, in place of Allen B. Lemmon. Incumbent's commission expired January 10, 1902.

Frank J. Payne, to be postmaster at Sutter Creek, in the county of Amador and State of California, in place of Frank J. Payne. Incumbent's commission expired January 10, 1902.

Robert J. Nixon, to be postmaster at Yreka, in the county of Siskiyou and State of California, in place of Robert J. Nixon. Incumbent's commission expired January 10, 1902.



George A. Lyman, to be postmaster at Amboy, in the county of Lee and State of Illinois, in place of George A. Lyman. Incumbent's commission expired February 7, 1902.

Harry B. Ward, to be postmaster at Duquoin, in the county of Perry and State of Illinois, in place of Harry B. Ward. Incumbent's commission expired January 20, 1902.

Martin A. Gilson, to be postmaster at Harvey, in the county of Cook and State of Illinois, in place of Martin A. Gilson. Incumbent's commission expired July 20, 1901.

Jerome B. Stewart, to be postmaster at Wilmington, in the county of Will and State of Illinois, in place of Jerome B. Stewart. Incumbent's commission expired January 21, 1902.

John R. Marshall, to be postmaster at Yorkville, in the county of Kendall and State of Illinois, in place of John R. Marshall. Incumbent's commission expires February 18, 1902.

Adrian Reynolds, to be postmaster at Sedan, in the county of Chautauqua and State of Kansas, in place of Adrian Reynolds. Incumbent's commission expired January 10, 1902.

Fred E. Littlefield, to be postmaster at Vinal Haven, in the county of Knox and State of Maine, in place of Fred E. Littlefield. Incumbent's commission expired January 10, 1902.

Robert A. Beckwith, to be postmaster at Southbridge, in the county of Worcester and State of Massachusetts, in place of Robert A. Beckwith. Incumbent's commission expired January 10, 1902.

Faustina M. Towle, to be postmaster at Gaylord, in the county of Otsego and State of Michigan, in place of Faustina M. Towle. Incumbent's commission expired January 10, 1902.

Griffith J. Thomas, to be postmaster at Harvard, in the county of Clay and State of Nebraska, in place of Griffith J. Thomas. Incumbent's commission expired January 14, 1902.

August C. Stecher, to be postmaster at Riverside, in the county of Burlington and State of New Jersey, in place of August C. Stecher. Incumbent's commission expired January 12, 1902.

Enrique H. Salazar, to be postmaster at Las Vegas, in the county of San Miguel and Territory of New Mexico, in place of Enrique H. Salazar. Incumbent's commission expires February 15, 1902.

Byron S. Dayton, to be postmaster at Middletown, in the county of Orange and State of New York, in place of Byron S. Dayton. Incumbent's commission expires February 11, 1902.

Tyre Glenn, to be postmaster at Greensboro, in the county of Guilford and State of North Carolina, in place of Tyre Glenn. Incumbent's commission expired January 21, 1902.

James H. Ramsay, to be postmaster at Salisbury, in the county of Rowan and State of North Carolina, in place of James H. Ramsay. Incumbent's commission expired January 14, 1902.

Daniel Myers, to be postmaster at Chicago, in the county of Huron and State of Ohio, in place of Daniel Myers. Incumbent's commission expired January 31, 1902.

Frank M. Shulze, to be postmaster at Circleville, in the county of Pickaway and State of Ohio, in place of William R. Duvall. Incumbent's commission expired July 21, 1901.

Oliver M. Greenbank, to be postmaster at Woodsfield, in the county of Monroe and State of Ohio, in place of Oliver M. Greenbank. Incumbent's commission expired January 14, 1902.

John C. Ardrey, to be postmaster at Lagrange, in the county of Union and State of Oregon, in place of John C. Ardrey. Incumbent's commission expired January 10, 1902.

I. Warner Arthur, to be postmaster at Bryn Mawr, in the county of Montgomery and State of Pennsylvania, in place of I. Warner Arthur. Incumbent's commission expired May 10, 1901.

Thomas A. Stevens, to be postmaster at Chamberlain, in the county of Brule and State of South Dakota, in place of Thomas A. Stevens. Incumbent's commission expires February 18, 1902.

Robert S. Sharp, to be postmaster at Chattanooga, in the county of Hamilton and State of Tennessee, in place of Robert S. Sharp. Incumbent's commission expired February 2, 1902.

James P. Madsen, to be postmaster at Manti, in the county of Sanpete and State of Utah, in place of James P. Madsen. Incumbent's commission expired January 20, 1902.

Jorgen C. Jacobson, to be postmaster at Elroy, in the county of Juneau and State of Wisconsin, in place of Jorgen C. Jacobson. Incumbent's commission expired January 12, 1902.

Charles S. French, to be postmaster at Lake Geneva, in the county of Walworth and State of Wisconsin, in place of Charles S. French. Incumbent's commission expired January 12, 1902.

James T. Webb, to be postmaster at Lancaster, in the county of Grant and State of Wisconsin, in place of James T. Webb. Incumbent's commission expired January 12, 1902.

Clayton H. Underhill, to be postmaster at Sharon, in the county of Walworth and State of Wisconsin, in place of Clayton H. Underhill. Incumbent's commission expired January 12, 1902.

Richard Price, to be postmaster at Wonewoc, in the county of Juneau and State of Wisconsin, in place of Richard Price. Incumbent's commission expired January 12, 1902.

Peleg A. Coal, to be postmaster at Gibson City, in the county of Ford and State of Illinois, in place of Peleg A. Coal. Incumbent's commission expired January 10, 1902.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 10, 1902.*

### UNITED STATES ATTORNEY.

James S. Young, of Pittsburg, to be United States attorney for the western district of Pennsylvania.

### POSTMASTERS.

William T. Hutchens, to be postmaster at Huntsville, in the county of Madison and State of Alabama.

Blevins S. Perdue, to be postmaster at Greenville, in the county of Butler and State of Alabama.

John B. Lollar, to be postmaster at Jasper, in the county of Walker and State of Alabama.

William C. Starke, to be postmaster at Troy, in the county of Pike and State of Alabama.

Daniel McNiel, to be postmaster at Ozark, in the county of Dale and State of Alabama.

Eli P. Jennings, to be postmaster at New Decatur, in the county of Morgan and State of Alabama.

Frank A. McCoy, to be postmaster at North Tonawanda, in the county of Niagara and State of New York.

Michael Gleason, to be postmaster at Carthage, in the county of Jefferson and State of New York.

John A. Brouse, to be postmaster at Lonoke, in the county of Lonoke and State of Arkansas.

Frank H. Juergens, to be postmaster at Jordan, in the county of Scott and State of Minnesota.

Marcus J. Isaacs, to be postmaster at Etna Mills, in the county of Siskiyou and State of California.

B. C. Ide, to be postmaster at Arroyo Grande, in the county of San Luis Obispo and State of California.

James H. Jennings, to be postmaster at Candor, in the county of Tioga and State of New York.

George G. Mason, to be postmaster at Webster, in the county of Monroe and State of New York.

Hamilton H. Judson, to be postmaster at Farmington, in the county of Dakota and State of Minnesota.

William A. Bennetts, to be postmaster at Ione, in the county of Amador and State of California.

Christian L. Ecklon, to be postmaster at Folsom City, in the county of Sacramento and State of California.

Volney I. Cook, to be postmaster at Belfast, in the county of Allegany and State of New York.

John C. Stowers, to be postmaster at West Palmbeach, in the county of Dade and State of Florida.

Frank M. Reardon, to be postmaster at Victor, in the county of Teller and State of Colorado.

Peter O. Hall, to be postmaster at Atwater, in the county of Kandiyohi and State of Minnesota.

Nelson H. Norman, to be postmaster at Wynnewood, in the Chickasaw Nation, Indian Territory.

Edward C. Watson, to be postmaster at Assumption, in the county of Christian and State of Illinois.

William T. West, to be postmaster at Lancaster, in the county of Garrard and State of Kentucky.

William T. Clements, to be postmaster at Platte City, in the county of Platte and State of Missouri.

Robert P. Underwood, to be postmaster at Greenfield, in the county of Dade and State of Missouri.

Thomas J. Ulen, to be postmaster at Dexter, in the county of Stoddard and State of Missouri.

William F. Quigley, to be postmaster at Tipton, in the county of Moniteau and State of Missouri.

John W. Smith, to be postmaster at Thayer, in the county of Oregon and State of Missouri.

William C. Askin, to be postmaster at Salem, in the county of Dent and State of Missouri.

Robert D. Hamilton, to be postmaster at Kirksville, in the county of Adair and State of Missouri.

John P. Waste, to be postmaster at Plainview, in the county of Wabasha and State of Minnesota.

John W. Hancock, to be postmaster at Casey, in the county of Clark and State of Illinois.

George G. Witty, to be postmaster at Bardwell, in the county of Carlisle and State of Kentucky.

George N. Slaten, to be postmaster at Grafton, in the county of Jersey and State of Illinois.

John G. Grems, to be postmaster at Maryville, in the county of Nodaway and State of Missouri.

Frank C. Wilcox, to be postmaster at Painted Post, in the county of Steuben and State of New York.

August Hauser, to be postmaster at Hicksville, in the county of Nassau and State of New York.

James L. Baker, to be postmaster at Lancaster, in the county of Schuyler and State of Missouri.

Samuel B. Roach, to be postmaster at Mason City, in the county of Mason and State of Illinois.



William A. Mussett, to be postmaster at Grayville, in the county of White and State of Illinois.

Charles W. Penny, to be postmaster at Patterson, in the county of Putnam and State of New York.

J. F. Okey, to be postmaster at Grant City, in the county of Worth and State of Missouri.

David H. Gilchrist, to be postmaster at Gallatin, in the county of Daviess and State of Missouri.

D. G. Williamson, to be postmaster at Staunton, in the county of Macoupin and State of Illinois.

William J. McEldowney, to be postmaster at Chicago Heights, in the county of Cook and State of Illinois.

Fred C. Kile, to be postmaster at Blue Island, in the county of Cook and State of Illinois.

Wilbur T. Norton, to be postmaster at Alton, in the county of Madison and State of Illinois.

George S. Roush, to be postmaster at Lena, in the county of Stephenson and State of Illinois.

Edmund C. Kreider, to be postmaster at Jacksonville, in the county of Morgan and State of Illinois.

Ernest G. Howell, to be postmaster at Geneva, in the county of Kane and State of Illinois.

Christian A. Kuhl, to be postmaster at Pekin, in the county of Tazewell and State of Illinois.

James E. Gregory, to be postmaster at Moweaqua, in the county of Shelby and State of Illinois.

John A. Walter, to be postmaster at Lockport, in the county of Will and State of Illinois.

Susan C. Fulton, to be postmaster at Hawley, in the county of Clay and State of Minnesota.

Laurence O'Brien, to be postmaster at Preston, in the county of Fillmore and State of Minnesota.

Robert Dunn, to be postmaster at Akely, in the county of Hubbard and State of Minnesota.

C. A. Sweet, to be postmaster at Creighton, in the county of Knox and State of Nebraska.

Charles D. Morris, to be postmaster at Trenton, in the county of Grundy and State of Missouri.

Andrew Eiken, to be postmaster at Crookston, in the county of Polk and State of Minnesota.

Albert Humm, to be postmaster at College Point, in the county of Queens and State of New York.

Charles V. Hay, to be postmaster at Weeping Water, in the county of Cass and State of Nebraska.

Henry C. Booker, to be postmaster at Gothenburg, in the county of Dawson and State of Nebraska.

Hiram A. Gardner, to be postmaster at Campbell, in the county of Dunklin and State of Missouri.

Simon P. Loebe, to be postmaster at Charleston, in the county of Mississippi and State of Missouri.

Malissa Conway, to be postmaster at Vandalia, in the county of Audrain and State of Missouri.

Frank I. Swett, to be postmaster at Lebanon, in the county of Laclede and State of Missouri.

James L. Greenlee, to be postmaster at Kahoka, in the county of Clark and State of Missouri.

Ida Blackburn, to be postmaster at Savannah, in the county of Andrew and State of Missouri.

William A. McCool, to be postmaster at Indianola, in the county of Redwillow and State of Nebraska.

C. W. McCaughy, to be postmaster at Holdrege, in the county of Phelps and State of Nebraska.

Charles F. Bean, to be postmaster at Glendive, in the county of Dawson and State of Montana.

Thurlow S. Armstrong, to be postmaster at Butte, in the county of Boyd and State of Nebraska.

Lewis M. Short, to be postmaster at Ainsworth, in the county of Brown and State of Nebraska.

Levi M. Copeland, to be postmaster at Minden, in the county of Kearney and State of Nebraska.

John J. Inman, to be postmaster at Salamanca, in the county of Cattaraugus and State of New York.

Sanford D. Cole, to be postmaster at Wymore, in the county of Gage and State of Nebraska.

William E. Morgan, to be postmaster at Greeley, in the county of Greeley and State of Nebraska.

Benjamin C. Eaton, to be postmaster at Pittsford, in the county of Monroe and State of New York.

George L. Bowers, to be postmaster at Vernon, in the county of Oneida and State of New York.

William S. Mills, to be postmaster at Fillmore, in the county of Allegany and State of New York.

Harriet L. Knapp, to be postmaster at Shortsville, in the county of Ontario and State of New York.

Nathan Van Wagenen, to be postmaster at New Paltz, in the county of Ulster and State of New York.

Albert H. Lapham, to be postmaster at East Aurora, in the county of Erie and State of New York.

Eugene N. Hayes, to be postmaster at Boonville, in the county of Oneida and State of New York.

George R. Vail, to be postmaster at Chester, in the county of Orange and State of New York.

Levi A. Shove, to be postmaster at Brewster, in the county of Putnam and State of New York.

Artie E. Galloway, to be postmaster at Silver City, in the county of Grant and Territory of New Mexico.

Elizabeth A. Wheeler, to be postmaster at West Derry, in the county of Rockingham and State of New Hampshire.

William E. Lissenden, to be postmaster at Mariner Harbor, in the county of Richmond and State of New York.

George F. Wattson, to be postmaster at El Reno, in the county of Canadian and Territory of Oklahoma.

Allen J. Papen, to be postmaster at Las Cruces, in the county of Donna Ana and Territory of New Mexico.

F. O. Blood, to be postmaster at East Las Vegas, in the county of San Miguel and Territory of New Mexico.

John J. Burke, to be postmaster at Norman, in the county of Cleveland and Territory of Oklahoma.

Frank Frantz, to be postmaster at Enid, in the county of Garfield and Territory of Oklahoma.

John W. Deam, to be postmaster at Geary, in the county of Blaine and Territory of Oklahoma.

Joseph Marks, to be postmaster at Covington, in the county of Tipton and State of Tennessee.

Robert S. Link, to be postmaster at Abbeville, in the county of Abbeville and State of South Carolina.

Herbert C. Huber, to be postmaster at Mountain View, in the county of Washita and Territory of Oklahoma.

William H. Faulkner, to be postmaster at South Boston, in the county of Halifax and State of Virginia.

Benjamin B. Weisiger, to be postmaster at Manchester, in the county of Chesterfield and State of Virginia.

Blanton W. Burford, to be postmaster at Lebanon, in the county of Wilson and State of Tennessee.

William G. Young, to be postmaster at Tazewell, in the county of Tazewell and State of Virginia.

Charles H. Revercomb, to be postmaster at Covington, in the county of Alleghany and State of Virginia.

Sydney S. Trevvett, to be postmaster at Glenallen, in the county of Henrico and State of Virginia.

James F. Harrison, to be postmaster at Piedmont, in the county of Mineral and State of West Virginia.

John O. Jackson, to be postmaster at Blackstone, in the county of Nottoway and State of Virginia.

Charles Alexander, to be postmaster at Boydton, in the county of Mecklenburg and State of Virginia.

Henry C. Showalter, to be postmaster at Harrisville, in the county of Ritchie and State of West Virginia.

John O. Huey, to be postmaster at Mannington, in the county of Marion and State of West Virginia.

Harry E. Munday, to be postmaster at Shepherdstown, in the county of Jefferson and State of West Virginia.

Edwin L. Brunton, to be postmaster at Walla Walla, in the county of Wallawalla and State of Washington.

William A. Buckley, to be postmaster at Sprague, in the county of Lincoln and State of Washington.

Alphonso F. Learned, to be postmaster at Port Townsend, in the county of Jefferson and State of Washington.

Lawrence A. Inkster, to be postmaster at Davenport, in the county of Lincoln and State of Washington.

Arthur M. Blackman, to be postmaster at Snohomish, in the county of Snohomish and State of Washington.

Joseph G. Tuttle, to be postmaster at Waterville, in the county of Douglas and State of Washington.

## HOUSE OF REPRESENTATIVES.

MONDAY, February 10, 1902.

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

Let Thy blessing, Almighty God, our Father, descend upon us this day. Make us to know Thy will. Give us the disposition and the strength to do it. And, O Lord, let Thy blessing descend upon all who are in anxiety, all who are sick and afflicted; especially let Thy blessing descend upon the President and his companion. Spare the life, we beseech Thee, of their child, that he may grow up to be a comfort and a blessing to them in their declining years. This we ask in the name of Christ our Lord. Amen.

The Journal of Saturday's proceedings was read and approved.