

wages are now eked out with "tips" would be as well off in money, and better off in self-respect, if they refused to accept "tips." This is appreciated by the railway servants' trade union of England, which is seeking to abolish "tipping" and substitute full wages.

Official election returns for governor of New York for 1898, as compared with those for 1896, are interesting. Roosevelt polls 661,707. In 1896, Black, the republican candidate polled 787,516. Roosevelt's loss, therefore, is 125,809. On the other hand, the democratic candidate makes a gain of 69,397. He polls 643,921, against 574,524 for the democratic candidate in 1896. Part of this democratic gain is easily accounted for. The gold candidate in 1896 polled 26,698. There was no gold candidate in 1898, but the citizen's union candidate drew most of his strength of 2,103 from the same source, which leaves 24,595 as the number of gold voters who probably returned to the democratic fold. But even then Van Wyck, the democratic candidate, would have a gain over the democratic gubernatorial vote in 1896 of 44,802. This could not have come from the socialists, for their vote has increased. Only 18,362 in 1896, it is 23,860 in 1898. Nor could it have come from the prohibitionists. They too increase their vote. It was 17,449 in 1896 and 18,383 in 1898. Van Wyck's net increase of 44,802 must have come, therefore, from the republican vote. This was possible, of course; for as already stated, Roosevelt's vote in 1898 was 125,809 less than Black's in 1896. Assuming that Van Wyck's gain came wholly from that source, except as already accounted for, we still have a loss to Roosevelt of 81,007 to explain. Naturally, that would be attributed to the falling off in the general vote, 1898 having been as compared with 1896, an "off year." But Roosevelt's loss cannot be wholly accounted for in that way. The total vote which in 1896 was 1,424,549, is in 1898 1,359,190—a falling off of only 65,359. On the whole, Roose-

velt does not appear to have won over many votes. Military fuss and feathers must have counted for very little in the New York election.

#### A MERICAN "CROWN COLONIES."

On one of the side streets of Chicago a business sign announces that the proprietor is prepared to ship goods to any part of the United States "and its colonies."

Far seeing proprietor! When that sign was first observed swinging upon its hinges, before the war with Spain had fairly begun, knowing passers-by smiled at the innocence of the foreign mind—for of course the proprietor must be a foreigner—which failed to understand that American theories of government do not tolerate colonies. Remembering their history lessons, the knowing passers-by reflected upon the incongruity of the idea of United States colonies. Had not the patriots of the American revolution shed their blood, in the days that tried men's souls, for the purpose of wresting England's American colonies from her grasp and establishing them as sovereign states? And did they not act upon the principle that government derives its just powers "from the consent of the governed?" This business sign, then, with its assumption that the United States could possibly be an owner of colonies, seemed ludicrously out of place in an American city.

But less than a year has passed, and the once ludicrous sign is already like a prophecy nearly fulfilled. It certainly is no longer ludicrous. The United States has acquired colonies and is in imminent danger of establishing a permanent colonial system.

A colony, in the sense in which the term is used in this connection, is a people governed by another people.

Usually the colonial territory is occupied by emigrants or their descendants from the governing or mother country. That, however, is not an imperative condition. The essential idea is that the governing country shall exercise arbitrary authority over the country of the governed. Thus Cuba, Porto Rico and the Philippines were for a long time colonies of Spain, as were also the republics of South America. So the

American states were once colonies of England; and Canada and the Australasian provinces are still. France, England and Germany possess colonies in Africa; and England governs India as a colony. Some of these colonies enjoy greater freedom than others, and all colonies of the present time are probably freer than any were a century ago; but whatever the degree of freedom any colony may enjoy, it derives it from the governing country as a privilege. Instead of limited powers going up from the people to the government, degrees of privilege come down from the government to the people.

When this principle prevails within an independent nation, the government is called monarchical; when it prevails in the relations of a nation to its territorial possessions, the government is called colonial. The colonial idea of government, and the monarchical are essentially the same.

Three grades of colonial government have come to be recognized under the English system. Canada, for illustration, belongs in the highest grade. This neighbor of ours to the north has been invested with the privilege of "responsible government." Though the mother country appoints the governor-general and retains a veto on legislation, it exercises no other control. And as the veto is in fact hardly more than nominal, and the governor-general a figurehead, Canada is in reality as self-governing as the United States. The secondary grade of colonies comprises those possessing "representative institutions." In these the home government not only retains a veto on legislation, but also the control of all public officers. The third and lowest grade are "crown colonies." They are controlled entirely and absolutely by the mother country; and in this they resemble the proposed colonies of the United States. The kind of colonies it is intended to make of our "new possessions" is crown colonies.

This is evident from what the imperialists say. Senator Frye, one of the American peace commissioners, while evading the question of the capability of the Filipinos for citizenship, says that "the Philippines, of course, cannot be admitted as a state

of the Union; they must be governed by us at first somewhat in the manner of the British government in East India." Senator Thurston does not think there is "anything in the federal constitution which compels us to extend American citizenship, free commercial intercourse, or prospective admission into the Union as states to our new possessions." Senator Platt, of Connecticut, maintained in his speech in the senate on the 19th of December that the United States has the constitutional power to take foreign territory and hold it without ever making a state of it or intending so to do. Without multiplying quotations, it will be enough to add a reference to the published argument of Prof. McMaster, the historian who has leaped into the arena as a defender of the right of the United States to govern outlying territory without regard to constitutional limitations. His argument for the right of the United States to establish crown colonies, is utterly lacking in interest except as a plea in support of a purpose to exercise the right.

There can be no doubt of that purpose. All the speeches and editorials in support of the policy of the administration, and the declarations of the administration itself, show the design most clearly. It is that the United States shall perpetually govern outlying possessions without the consent of the inhabitants. They are to be and remain dependent colonies, governed without their consent and taxed without representation—the very type of "crown colonies."

This would indeed be a reversal of the American theory of government. Government without the consent of the governed is a bed-rock American principle.

True, we have not always lived up to it; we do not live up to it now. But we have grown closer to it; and the present administration is the first to propose to abandon it. Not to have fully realized an ideal, while moving toward it, is a very different thing from casting the ideal aside. There is all the difference between the two of progression and retrogression.

So of taxation without representation. Upon this doctrine our freedom from colonial thralldom was

fought for, and it has ever since been our political pillar of cloud by day and of fire by night. We have, indeed, levied taxes without representation, and we do so yet; but always because of our blindness as a nation to the application of the principle in the particular case. Now, however, it is proposed that we repudiate the principle itself. Instead of pressing forward to a full realization of the principle, we are urged to recede from the advances already made.

Not only would the colonial system be contrary to the American theory of government. It would be in conflict also with the constitution through which the United States derives from the states all the sovereignty it possesses.

Numerous attempts have been made, since the expansion question came forward, to satisfy the people that the United States has the same constitutional power that England has to set up and govern colonies. So far as these arguments have any plausibility, they rest not upon the provisions of the constitution, but upon acts in violation of it, which are marshalled as precedents. Gen. Merritt is more candid. He advocates the colonial system not as constitutional; but in spite of the constitution; his simple but comprehensive argument being that "we have outgrown the constitution." Men like Prof. McMaster, who are interpreting away the safeguards of the constitution, seek the same object as Gen. Merritt. They differ from him only in method. He excels them in candor; they excel him in discretion.

Among the arguments of these imperialists, urged in support of the colonial system upon which they wish this nation to enter, is one that overleaps itself. This argument, too, is the one upon which all depends. It is insisted that congress and the president are absolute except in the states; that they may acquire any territory they please outside the states; may acquire it, as they please; and, having acquired it, may govern it in their discretion, without regard to the constitution! There is, according to this theory, no limitation whatever upon the powers of the federal government as regards outlying territory.

Upon this theory, as we have said, the colonial system must rest. When it falls, that falls. For, if constitutional limitations do apply, we cannot take possession of the Philippines without either abandoning our protection policy, or inviting the hostility of a "closed door" in the far east.

To maintain our protective policy, we should have to bring the Philippines within its operation, giving us free trade with that archipelago while imposing high tariffs upon all other nations. That would be the "closed door." It would discriminate in favor of our trade with the Philippines and against that of others. On the other hand, if we established an "open door" in the Philippines, it would have to be a free-trade door, for we could not put any tariff upon American goods.

All this would be so, that is to say, if the Philippines upon annexation became part of the nation called the United States, and so fell under the protection of the United States constitution. Since the constitution provides in paragraph 1 of section 8 article I, that all duties shall be uniform throughout the United States, it would be impossible under the constitution to make an "open door" in the Philippines without adopting free trade as the national policy. Hence the great necessity to the imperialists, of their argument that the Philippines would not be part of the nation, but would be mere national property, like a park or a post office site, subject perpetually to arbitrary government from Washington. Upon the basis of this argument they insist, or imply, that congress and the president could open the colonial ports in the Philippines to commerce under low duties, while closing the national ports in America by high ones.

But observe what is involved in this imperialist argument. Since the constitution would not apply to the Philippines, of course its amendments would not apply to them either. Thus the bill of rights, introduced in the first ten amendments, and upon which so much stress was laid at the formation of the government, would offer none of the protection to the Filipinos that they do to us. The Filipinos would be as dependent upon

the good nature and good sense of congress for the simplest human rights as a French peasant of the seventeenth century was upon the humanity of his seigneur.

Read the first ten amendments to the constitution and note the terrible power over the Philippine natives this colonial theory would vest in congress. Their religious freedom could be interfered with but for the protection not of the constitution, but of the Spanish treaty. Spain alone could object. The rights of free speech, free press and peaceable assembly could be denied them. They could be forbidden to arm themselves: soldiers could be quartered upon citizens; their persons, houses, papers and effects could be seized and searched without process of law; they could be hanged or shot for alleged crimes without indictment or trial; they could be put in jeopardy over and over again for the same alleged offense; they could be forced to testify against themselves if tried for crime; they could be deprived of life, liberty and property without due process of law; and cruel and unusual punishments could be inflicted upon them.

Is it said that no congress would dare to pass nor any president to sign a bill denying rights like these to the Filipinos? Why not? If we at home, with votes and state governments to protect us against federal aggression,—if we need these constitutional safeguards for our security, how dare we say that the Filipinos do not need them? Is congress likely to be more just toward them than toward us?

Yet it was thought important in the highest degree to annex these provisions to the constitution when this government was formed; and no voter would consent to having them struck out even now. We do not trust future congresses and presidents with unlimited power over ourselves. How shall we in good faith, then, defend the proposition to give them unlimited power over others?

There is but one righteous course to pursue toward the Filipinos. It is to set them free. If they ask our protection until the world recognizes their national independence, let us give it to them. Otherwise it is our duty—what our destiny may be we cannot know—to let them alone.

It is insisted, however, that they are unfit for self-government. They always will be unless they are left to govern themselves. Fitness for self-government comes from experience in self-governing. It cannot be taught by rote like a lesson at school. Neither can it be forced into a people. We might impose the names and forms of self-government upon the Filipinos; but not its essence. Self-government is a necessary prerequisite of fitness for self-government. No people can ever acquire fitness while governed by a foreign power as a "crown colony."

## NEWS

The full text of the proposed treaty of peace with Spain, together with the president's message of transmittal and collateral documents, was made public on the 5th at Washington. The message of transmittal merely announces the submission to the senate for ratification, of "a treaty of peace between the United States and Spain, signed at the city of Paris on Dec. 10, 1898, together with the protocols and papers indicated in the list accompanying the report of the secretary of state." The papers thus indicated comprise credentials, records of daily proceedings of the commissioners and correspondence. They make a printed volume of 675 pages. An abstract of the treaty is given in the next paragraph.

After a brief preamble, the treaty specifies the terms of peace in 17 articles, the substance of which are as follows:

Article 1 relinquishes Spain's sovereignty in Cuba, the United States to discharge all obligations of international law during occupancy.

Art. 2 cedes Porto Rico and other Spanish West Indian islands, together with the island of Guam in the Ladrões, to the United States.

Art. 3 cedes to the United States the Philippine archipelago, upon payment of \$20,000,000 within three months after the exchange of ratifications.

Art. 4 provides for the admission for 10 years of Spanish ships and merchandise into Philippine ports on the same terms with American ships and merchandise.

Art. 5 requires the United States to send back to Spain the Spanish soldiers taken as prisoners of war on the capture of Manila, and arranges details of Spanish evacuation of the Philippines and Guam.

Art. 6 provides for the release and return home of all prisoners of war and political prisoners held by either side in connection with the Philippine and the Cuban insurrections or the Spanish-American war.

Art. 7 cancels all claims for indemnity.

Art. 8 conveys to the United States all immovable public property in the islands belonging to the crown of Spain, such as wharves, forts and highways.

Art. 9 agrees that native subjects of Spain domiciled in the relinquished territory may retain their Spanish allegiance by making a declaration of their intention within a year, in default of which declaration they acquire the nationality of their residence; but "the civil rights and political status of the native inhabitants" of the territories ceded to the United States are to be determined by congress.

Art. 10 secures the right of free exercise of their religion to the inhabitants of the relinquished islands.

Arts. 11 and 12 relate to civil and criminal proceedings affecting private rights.

Art. 13 secures rights of property in Spanish copyrights and patents held in the relinquished islands, and provides for the admission free of duty for 10 years of Spanish scientific, literary and artistic works.

Art. 14 gives Spain consular rights in the relinquished islands.

Art. 15 pledges each country to give to the merchant vessels of the other, for 10 years (or until sooner terminated by six months notice from either country to the other), the same treatment in respect of port charges as it accords its own.

Art. 16 limits the obligations of the United States as to Cuba to the period of its occupancy, it agreeing, however, to advise any government hereafter established there to assume the same obligations.

Art. 17 provides for ratification "by the president of the United States, by and with the advice and consent of the senate thereof, and by her majesty the queen of Spain," the ratifications to be exchanged at Washington within six months from December 10, 1898.

Opposition in the senate to the ratification of the treaty was led by Senator Hoar who, on the 5th introduced a resolution that the president—

so far as in his judgment not inconsistent with the public interest, be requested to communicate to the senate all instructions given by him to the commissioners for negotiating the pending treaty with Spain, and all correspondence between the executive or the department of state with such commissioners, and all reports made by them to him or to the department.