

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.

When the resolution came up on the 6th, an attempt was made to refer it to a committee; but Mr. Hoar expressed his fear that this was meant for delay and he succeeded in securing its prompt adoption by the senate.

Mr. Hoar had already given notice of his intention to discuss the Vest resolution, and on the 9th he did so at length. Following is the Vest resolution:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That under the constitution of the United States no power is given to the federal government to acquire territory to be held and governed permanently as colonies. The colonial system of European nations cannot be established under our present constitution, but all territory acquired by the government, except such small amount as may be necessary for coaling stations, correction of boundaries, and similar governmental purposes, must be acquired and governed with the purpose of ultimately organizing such territory into states suitable for admission into the union.

The burden of Mr. Hoar's speech, which was a reply to Senator Platt, of Connecticut, who had opposed the resolution, may be inferred from this quotation: "When you raise the flag over the Philippine Islands as an emblem of dominion and acquisition, you take it down from Independence Hall."

Senator Hoar's speech of the 9th was followed on the 10th by one from Senator Mason on the same side. Mr. Mason, however, spoke to a resolution of his own, which he had offered on the 7th. It is as follows:

Whereas, All just powers of government are derived from the consent of the governed; therefore, be it resolved, by the senate of the United States, That the government of the United States of America will not attempt to govern the people of any other country in the world without the consent of the people themselves, or subject them by force to our dominion against their will.

In favor of the treaty, the more important speech of the two so far made in the senate was delivered on the 11th by Senator Foraker. Its importance lay in the fact that Mr. Foraker intimated, with an assumption of authority, that the administration has no intention of interfering with local self-government in the Philippines, or of making the United States occupancy more than temporary.

When he said that it had been "decided to take possession ourselves—for the present at least—until the people of those islands are ready and capable of self-government," there was a stir of astonishment in the senate at the suggestion of temporary occupancy, and Mr. Foraker reiterated his assertion, adding:

I do not understand that anyone desires anything but the ultimate independence of the people of the Philippines, neither the president nor anyone in this chamber.

Mr. Foraker also said, answering a question asked by Mr. Hoar as to the right of the Philippines to self-government:

With the determination of the ultimate policy respecting the Philippines, their feelings will have much to do. No one, so far as I am able to learn, is prepared by force and violence to take and hold them. I am willing to trust the administration. I have no sympathy with those who talk of making war on Aguinaldo any more than I had with those who talked of making war on Gomez.

President McKinley's proclamation to the Filipinos, referred to in these columns last week as having been cabled but not made public, was promulgated on the 5th at Manila by Gen. Otis. According to the version of the Associated Press, Gen. Otis, after reciting briefly President McKinley's instructions, expressed the opinion that it is the intention of the American government while directing affairs generally to appoint representative Filipinos forming the controlling element, to civil positions. He also expressed himself as convinced that the United States government intends to seek the establishment in the islands of a most liberal government, in which the people will be as fully represented as the maintenance of law and order will permit, and susceptible of development, on lines of increased representation and the bestowal of increased powers, into a government as free and independent as is enjoyed by the most favored provinces in the world. To this end he invited the full confidence and cooperation of the Filipinos. Nothing was said in the proclamation regarding the disarmament of the Filipinos.

Gen. Otis's proclamation was followed by a manifesto from President Aguinaldo accusing the American government of bad faith and calling upon the people to work together for Philippine independence. The re-

publican papers of Manila do not yield in their demands for independence.

The news reports from Washington have all along indicated a war-like disposition toward the Filipinos; but the more recent reports go to show that the instructions to the American troops off the island of Panay have gone no further than to order them to land, and, getting into communication with the Filipinos at Iloilo, to make public the purposes of the United States. "The policy to be adopted now," says the Associated Press report from Washington, "is a gentle one. Persuasion will be used before power." At last accounts the Americans had not landed at Iloilo, and the city was still held by Filipino troops. Filipino committees in Paris, Madrid and London telegraphed on the 9th to President McKinley a protest against the disembarkation of American troops at Iloilo, as premature before the ratification of the treaty of peace.

Gen. Wood arrived at New York on the 10th en route from Santiago, Cuba, to Washington. His departure from Santiago was noted last week, its object being to confer with the Washington authorities regarding Gen. Brooke's order requiring Santiago customs receipts to be sent to Havana. This had aroused great indignation in Santiago, and, as already reported, a mass meeting of citizens had requested Gen. Wood to intercede. Gen. Brooke revoked his objectionable order before Col. Wood reached New York; and Santiago will retain its customs receipts.

Politics in the United States are assuming shape in the democratic party for the presidential campaign of 1900. The indications now are that the party will be split both by the money question and the question of colonial expansion. At the Jackson day banquet on the 6th in Cincinnati, Wm. J. Bryan struck the keynote for the wing of the party which he represents. He emphasized the doctrine of free and unlimited coinage at the ratio of 16 to 1, as set forth in the Chicago platform, and then took up the colonial question. His speech upon that issue was largely in answer to this searching interrogatory:

Whether we can govern colonies as well as other countries can is not material; the real question is whether we