

Everything was dry as well as peaceful. The warmth in the valleys was dry. The cold on the mountains was dry. The desiccated cigars but recently imported from Havana burned dryly and snapped and spluttered like Roman candles. Most of the fruit in sight was of the evaporated variety, and even the harsh coughs with which a few of the tourists broke the all-pervading silence were dry.

With nature bearing this benevolent aspect and most of the members of the human family showing no signs of perturbation or excitement of any sort, it was to be expected that in the animal kingdom also everything should be found at rest. The ancient mountain lion dozed quietly in his lair. The venerable bear dreamily applied the powers of suction with which he is gifted to his well-worn paws and with closed eyes ruminated on the exciting events of the fall of '49 and the spring of '50.

One of the "painters" which Kit Carson sent to the hospital more than 50 years ago with a charge of buckshot scattered throughout his person lolled idly in a rocking chair and, occasionally shouldering his crutches, showed how fields were won. The coyote, sneaking and contemptible even in repose, heard not the faint cackle of the hen on the lower level, or, if he did grasp its significance, his lean and drooling jaws gave no sign.

In like manner the ferocious goat and the man-eating jack rabbit, possibly exhausted with the sanguinary chase, or perhaps dreaming of men torn from shrieking wives or of small children devoured before the very eyes of their affrighted mothers, showed by the lethargic rise and fall of their grizzled sides that they, too, were under the spell of the prevailing somnolency.

At this interesting juncture Theodore Roosevelt, late governor of the state of New York and vice president of the United States-elect, appeared on the Kansas border and immediately the face of the earth underwent a change. Icy mountains, umbrageous valleys, coral strands, mechanical and meandering man, wild beasts, fowls of the barnyard, Injuns, the rolling clouds, the sun but a moment since charitably warm, and the silently moving rivers, all assumed a stern and forbidding countenance and gave evidence well understood by the oldest inhabitants that trouble was at hand.

On came Roosevelt, unflinchingly, irresistibly. The charge in a Springfield rifle which had not been fired since the Uncompaghe uprising leaped

forth of its own volition and the echoes rolled for miles away. A stick of dynamite left carelessly on the mountain side in the Gunnison country, many miles from a human habitation, exploded with a deafening roar. Forest fires sprang up as if by magic and leaped from peak to peak.

Nearer and nearer came Roosevelt, his train augmenting at every water tank, the roar of his followers being answered by the deep mutterings of distant thunder and the awful rush of swiftly-moving waters. Fierce lightnings played along the crest of the gleaming mountains and the crashes of thunder were emphasized by the terrifying roar of the avalanche. White men suspended industry and red men took to the warpath. Roosevelt had arrived.

Then something began to happen to somebody every minute. The cowboy on the lonely plains of Las Animas little recked the cause, but his wild cayuse leaped 20 feet in the air and threw him across a canyon with neatness and dispatch. Mountain lions, "painters," bears, elephants, royal Bengal tigers, catamounts, coyotes, ant-eaters, hippopotami, jack rabbits and Rocky mountain goats flew up and down the highways, stampeding children just from school and breaking up several Sunday school picnics and sleighing parties on the various levels.

It was a grand and a terrible sight. In the midst of it rode Roosevelt, bright and fair and lovely as Casablanca, but with a stern and awful look upon his determined countenance. He carried a gun in each hand. In his belt were other guns. In his boot legs were more guns. All were going off at once and the wild men of the plain who followed at an awe-inspired distance were doing their best to load and reload as they swept on to the dreadful carnage.

But why particularize? Where at daybreak all untrodden lay the snow, or, farther down, all undisturbed grew the grass, at nightfall mountain and valley looked like buffalo wallows in the bad lands of Nebraska. There were great splotches of blood on the icy ribs of the mountains. The dark and angry torrents rolling toward the arroyos of the sun-stricken wastes of Arizona were clogged with the gory carcasses of ferocious beasts of prey. Even the pale mountain air, warranted to cure catarrh and prolong the lives of consumptives, was faintly streaked, vertically and horizontally, with red corpuscles intermixed with brown powder, bird shot and 12-inch projectiles.

We may learn from all this the power of an endless sensationalism. We may gather from the results already visible in Colorado the influence on matter-of-fact conditions of even one strenuous life. Roosevelt's visit to Colorado will supply sensations for man and beast, for animate and inanimate nature for many years to come. We are informed daily to some extent of his mighty achievements and his hairbreadth escapes, but the thrilling details will be found only in his own narrative, which we may expect to see some time next fall in season for the holiday trade.

#### PRESIDENT HARRISON ON THE RELATION OF THE CONSTITUTION TO ANNEXED TERRITORY.

Brief extracts from ex-President Benjamin Harrison's article on "The Status of Annexed Territory and of its Free Civilized Inhabitants," published in the North American Review for January.

We have done something out of line with American history, not in the matter of territorial expansion, but in the character of it. . . .

We have taken over peoples rather than lands, and these chiefly of other race stocks.

The questions that perplex us relate to the status of these new possessions, and to the rights of their civilized inhabitants who have elected to renounce their allegiance to the Spanish crown, and either by choice or operation of law have become American—somethinga. What? Subjects or citizens?

In studying the questions whether the new possessions are part of the United States, and their free civilized inhabitants citizens of the United States, the constitution should, naturally, be examined first. Whatever is said there is final—any treaty or act of congress to the contrary notwithstanding. The fact that a treaty must be constitutional, as well as an act of congress, seems to have been overlooked by those who refer to the treaty of cession as giving to congress the right to govern the people of Porto Rico, who do not retain their Spanish allegiance, according to its pleasure. . . .

A treaty is a part of the supreme law of the land in the same sense that an act of congress is, not in the same sense that the constitution is. The constitution of the United States cannot be abrogated or impaired by a treaty. Acts of congress and treaties are only a part of the "supreme law of the land" when they pursue the constitution. The supreme court has decided

that a treaty may be abrogated by a later statute, on the ground that the statute is a later expression of their sovereign's will. Whether a statute may be abrogated by a later treaty, we do not know; but we do know that neither a statute nor a treaty can abrogate the constitution.

If the constitution leaves the question open whether the inhabitants of Porto Rico shall or shall not upon annexation become citizens, then the president and the senate may exercise that discretion by a treaty stipulation that they shall or shall not be admitted as citizens; but if, on the other hand, the constitution gives no such discretion, but itself confers citizenship, any treaty stipulation to the contrary is void. To refer to the treaty in this connection is to beg the question.

If we seek to justify the holding of slaves, in a territory acquired by treaty, or the holding of its civilized inhabitants in a condition less favored than that of citizenship, by virtue of the provisions of a treaty, it would seem to be necessary to show that the constitution, in the one case, allows slavery, and, in the other, a relation of civilized people to the government that is not citizenship.

Now the constitution declares (fourteenth amendment) that "all persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States." This disposes of the question, unless it can be maintained that Porto Rico is not a part of the United States.

It is not a right use of the fault of slavery to say that, because of it, our fathers did not mean "all men." It was one thing to tolerate an existing condition that the law of liberty condemned, in order to accomplish the union of the states, and it is quite another thing to create a condition contrary to liberty for a commercial profit.

The instructions of the president to the Taft Philippine commission seem to allow that any civil government under the authority of the United States, that does not offer to the people affected by it the guarantees of liberty contained in the bill of rights sections of the constitution, is abhorrent. . . .

The benevolent disposition of the president is well illustrated in these instructions. He conferred freely—"until congress shall take action"—upon the Filipinos, who accepted the sovereignty of the United States and submitted themselves to the government established by the commission,

privileges that our fathers only secured after eight years of desperate war. There is this, however, to be noted, that our fathers were not content to hold these priceless gifts under a revocable license. They accounted that to hold these things upon the tenure of another man's benevolence was not to hold them at all. Their battle was for rights, not privileges—for a constitution, not a letter of instructions.

The president's instructions apparently proceed upon the theory that the Filipinos, after civil government has superseded the military control, are not endowed under our constitution, or otherwise, with any of the rights scheduled by him; that, if he does nothing, is silent, some or all of the things prohibited in his schedule may be lawfully done upon, and all the things allowed may be denied to, a people who owe allegiance to that free constitutional government we call the United States of America.

It is clear that those Porto Ricans who have not, under the treaty, declared a purpose to remain Spanish subjects, have become American citizens or American subjects. Have you ever read one of our commercial treaties with Great Britain or Germany, or any other of the kingdoms of the world? These treaties provide for trade intercourse, and define and guarantee the rights of the people of the respective nations when domiciled in the territory of the other. The descriptive terms run thus: "The subjects of her Britannic majesty" on the one part, and "the citizens of the United States" on the other. Now, if the commercial privileges guaranteed by these treaties do not, in their present form, include the Porto Ricans who strewed flowers before our troops when they entered the island, we ought at once to propose to our "great and good friends," the kings and queens of the earth, a modification of our conventions in their behalf.

Who will claim the distinction of proposing that the words "and subjects" be introduced after the word "citizens?" There will be no objection on the part of the king, you may be sure; the modification will be allowed smilingly.

The particular provision of the constitution upon which congress seems to have balked in the Porto Rican legislation was a revenue clause, viz., the first paragraph of section 8 of article 1, which reads:

The congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and

excises shall be uniform throughout the United States.

There was only one door of escape from allowing the application of this clause to Porto Rico. It was to deny that the territories are part of the United States.

It will be noticed that the descriptive term, "The United States," is twice used in the one sentence—once in the clause defining the purposes for which only duties and imposts may be levied and once in the clause requiring uniformity in the use of the power. Is there any canon of construction that authorizes us to give to the words "The United States" one meaning in the first use of them and another in the second? If in the second use the territories are excluded, must they not be excluded in the first? If the rule of uniformity does not apply to the territories how can the power to tax be used in the United States to pay the debts and provide for the defense and general welfare of the territories? Can duties be levied in New York and other parts of the states, to be expended for local purposes in Porto Rico, if the island is not a part of the United States?

The situation of the Porto Rican people is scarcely less mortifying to us than to them; they owe allegiance, but have no citizenship. Have we not spoiled our career as a delivering nation? And for what? A gentleman connected with the beet-sugar industry, seeing my objections to the constitutionality of the law, and having a friendly purpose to help me over them, wrote to say that the duty was absolutely needed to protect the beet-sugar industry. While appreciating his friendliness, I felt compelled to say to him that there was a time for considering the advantages and disadvantages of a commercial sort involved in taking over Porto Rico, but that that time had passed; and to intimate to him that the needs of the beet-sugar industry seemed to me to be irrelevant in a constitutional discussion.

That we give back to Porto Rico all of the revenue derived from the customs we levy does not seem to me to soften our dealings with her people. Our fathers were not mollified by the suggestion that the tea and stamp taxes would be expended wholly for the benefit of the colonies. It is to say: We do not need this money; it is only levied to show that your country is no part of the United States, and that you are not citizens of the

United States, save at our pleasure. When tribute is levied and immediately returned as a benefaction its only purpose is to declare and maintain a state of vassalage.

God forbid that the day should come when, in the American mind, the thought of man as a "consumer" shall submerge the old American thought of man as a creature of God, endowed with "unalienable rights."

FOR HIS GOOD.

"I bring you the stately matron named Christendom, returning bedraggled, besmirched and dishonored from pirate raids in Kiao-Chou, Manchuria, South Africa and the Philippines, with her soul full of meanness, her pocket full of 'bottle' and her mouth full of pious hypocrites. Give her soap and towel, but hide the looking glass."—Mark Twain's Greeting to the Red Cross Society.

PREFACE.

Oh, a little Christian song I'm going to sing,  
And both dollars and religion it will bring.  
It's about the white man's burden,  
And its martyr's crown and guerdon,  
With a kind of catchy Barrack Ballad swing.  
(P. S.) It's an easy trick to write that sort of thing.

BALLAD.

If you see an island shore  
Which has not been grabbed before,  
Lying in the track of trade as islands should,  
With the simple native quite  
Unprepared to make a fight,  
Oh, you just drop in and take it for his good.

Chorus:

Oh, you kindly stop and take it for his good,  
Not for love of money, be it understood,  
But you row yourself to land,  
With a Bible in your hand,  
And you pray for him, and rob him, for his good;  
If he hollers, then you shoot him—for his good.

There've been sad and bloody scenes  
In the distant Philippines,  
Where we've slaughtered thirty thousand for their good,  
And, with bullet and with brand,  
Desolated all the land;  
But you know we only did it for their good.

Chorus (fortissimo, beginning with a howl):

Ow! just club your gun and kill him for his good;  
Don't you waste a cartridge, give him steel or wood,  
When he's wounded and he's down  
Brain him, 'cause his skin is brown,  
Only mind you do it for his good.  
"Take no prisoners," but kill them—for their good.

Yes, and still more far away,  
Down in China, let us say,  
Where the "Christian" robs the "heathen" for his good,  
You may burn and you may shoot,  
You may fill your sack with loot,  
But be sure you do it only for his good.

Chorus:  
When you're looting Chinese Buddhas for their good,  
Picking opals from their eyeballs made of wood,  
As you prize them out with care,  
Just repeat a little prayer,  
To the purport that you do it for their good;  
Make your pocket-picking clearly understood.

Or this lesson I can shape  
To campaigning at the Cape,  
Where the Boer is being hunted for his good.  
He would welcome British rule  
If he weren't a blooming fool;  
Thus you see that it is only for his good.

Chorus (pianissimo):  
So they're burning burghers' houses for their good.  
As they pour the kerosene upon the wood,  
I can prove them, if I list,  
Every man an altruist,  
Making helpless women homeless—for their good;  
Leaving little children roofless—for their good.

MORAL.

There's a moral to my song,  
But it won't detain you long,  
For I couldn't make it plainer if I would.  
If you dare commit a wrong  
On the weak because you're strong  
You may do it—if you do it for their good.  
You may rob him, if you do it for his good;  
You may kill him, if you do it for his good;  
You may forge and you may cheat;  
You have only to repeat  
This formula: "I do it for your good."  
Crime is "Christian" when it's really understood.  
—Bertrand Shadwell, in Chicago Record.

The scandal of the Harlan appointment is not changed for the better by the senate's confirmation; and since the young man, along with the son of Judge McKenna, insists upon taking the high Porto Rican office for which the president has named him, probably the best thing Judges Harlan and McKenna can do is to withdraw from the cases involving the status of Porto Rico and the Philippines.—Springfield (Mass.) Republican.

Nervous Mother—Are you sure, Willie, that the ice is safe?  
"Oh, yes! It wouldn't be safe if there was another boy with me, but I'm going alone."—Life.

Ghost of Roberts (1934)—I see that the last Boer has been captured.  
Ghost of Kitchener—And killed?  
"No, I believe not."  
"Goodness, gracious! Why don't our people end the war!"

G. T. E.

"Yes, I consider my life a failure."  
"Oh, Henry, how sad! Why should you say that?"  
"I spend all my time making money

enough to buy food and clothes, and the food disagrees with me and my clothes don't fit."—Life.

BOOK NOTICES.

The Philippine Information society, recently formed for the purpose of spreading reliable information on the Philippine question, has now issued three pamphlets varying in length from 28 to 60 pages, and has, therefore, arrived at a stage when the value of its publications can be judged. The members of the society are understood to be in great part supporters of the administration, impelled by a patriotic desire to know the actual state of affairs in our distant Asiatic possessions. They claim that on this important subject public opinion, which is always so potent a factor in our country, ought to be based not merely on the press accounts, which, especially in war times, must of necessity give a limited amount of information, but should be formed with a thorough knowledge of the case as it is set forth in the documents submitted by the naval, military and diplomatic representatives of our government in the Philippines, to the treaty commissioners at Paris and to the United States congress. These voluminous documents are to be obtained only by application to Washington, and that after a laborious search through congressional records in order to discover what documents contain the desired information; therefore, the Philippine Information society is employing trained readers who hunt out the documents, compile from the various volumes the evidence bearing on the leading topics under discussion, and thus put within easy reach of the public the most reliable information possible. The chairman of this society is Dr. J. J. Putnam, of Boston, and among the vice chairmen, who are vouchers for its good faith, are Prof. Royce, of Harvard university; Mr. Richard Watson Gilder, of the Century company, New York, and Mr. Francis Blake, of the Bell telephone.

The pamphlets issued by the society may be obtained free of cost (one single copy of each only to one address) by anyone who will send to L. K. Fuller, 12 Otis place, Boston, the name of his congressman, as many two-cent stamps as he desires pamphlets and his own name and address legibly written, or if possible printed on a separate card.

The first pamphlet entitled "Aguinaldo, Together with the Authorized Account of the Alleged Spanish Bribe," has collected all the official accounts of the treaty of Biac-na-Bato, which terminated the rebel-

THE PUBLIC

will be sent to any address in the United States, Canada or Mexico.

ON TRIAL

for the purpose of introducing it to new readers, for the term of

SIX WEEKS

for

TEN CENTS

Send subscriptions with addresses to THE PUBLIC, Box 687, Chicago.