

constitution, and on the 27th, at three in the morning, came to an agreement, almost unanimous, upon the following additional constitutional clauses:

1. The government of Cuba will not make a treaty or agreement with any foreign power which may compromise or limit the independence of Cuba, or which may permit or authorize any power to obtain by means of colonization or for military or naval purposes, or in any other manner, any foothold or authority or right over any portion of Cuba.

2. The government will not permit its territory to be used as a base of operations for war against the United States or against any foreign nation.

3. The government of Cuba accepts in its entirety the treaty of Paris, in which are affirmed the rights of Cuba, to the extent of the obligations which are explicitly indicated in these, and especially those which the international law imposes for the protection of life and property, and substitutes itself for the United States in the pledge, which they assumed in that sense, according to articles 12 and 162 of the treaty of Paris.

4. Cuba recognizes as legally valid all acts of the military government during the period of occupation; also the rights arising out of them, in conformity with the joint resolution and the Foraker amendment and the existing laws of the country.

5. The governments of the United States and Cuba ought to regulate their commercial relations by means of a treaty based on reciprocity, and with tendencies toward free trade in natural and manufactured products, mutually assuring ample special advantages in their respective markets.

In a preamble it is explained that in so far as security for the independence of Cuba is sought by the American demands other than those thus conceded, there is ample security in the constitution; and that the demand for coaling stations militates against independence, while that for sanitary regulation should be subject to future adjustment.

Concurrently with the precipitation of the question of Cuban independence in the senate the question of conferring upon the president unlimited power in the Philippines—civil as well as military, and legislative and judicial, as well as executive—was in the same way introduced in the same body, the Spooner bill being offered as an amendment to the army

appropriation bill. This Philippine provision is in these words:

That all military, civil and judicial powers necessary to govern the Philippine islands, acquired from Spain by the treaties concluded at Paris December 10, 1898, and at Washington November 7, 1900, shall, until otherwise provided by congress, be vested in such manner as the president of the United States shall direct for the establishment of civil government and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property and religion; provided, that all franchises granted under the authority hereof shall contain a reservation of the right to alter, amend or repeal the same.

Mr. Vest moved to amend by making all action on the part of the president's representatives in the Philippines subject to the constitution and laws of the United States. This was defeated, 45 to 25. Mr. Rawlins offered an amendment denying any intention of holding permanent sovereignty over the Philippines, and limiting such sovereignty to the pacification thereof and the establishment of a stable government therein. This was defeated, 45 to 24. Mr. Bacon proposed to limit the operation of the president's unlimited power to March 4, 1905. This was defeated, 46 to 26. Mr. Pettus proposed that every appointee under this presidential power be required to take an oath of office to support the constitution of the United States. It was defeated, 41 to 25. Mr. Teller proposed that the civil government to be established in the Philippines should allow the inhabitants the fullest participation consistent with safety. It was defeated, 39 to 23. He then moved to guarantee to the Filipinos our own bill of rights—no ex post facto laws, etc. It was defeated, 41 to 23. Mr. Hoar moved that none of the Philippine officials to be appointed under this authority should exercise more than one kind of the three great powers—legislative, executive and judicial—"to the end that the government might be one of laws, not men." It was defeated, 43 to 26.

Two amendments were offered by the majority, as follows:

Provided that no sale or lease or other disposition of the public lands or the timber thereon or the mining rights therein shall be made.

And, provided, further, that no franchise shall be granted which is

not approved by the president of the United States, and is not in his judgment clearly necessary for the immediate government of the islands and indispensable for the interest of the people thereof, and which cannot, without great public mischief, be postponed until the establishment of permanent civil government; and all such franchises shall terminate one year after the establishment of such permanent civil government.

So amended, the Spooner clause was adopted on the 27th at 10:30 in the evening, after a session from 11 in the morning, by a vote of 45 to 27. Hale voted for it. Hoar and Teller voted against it. Mason did not vote. After midnight, as already stated, the Cuban clause having been meantime inserted, the army appropriation bill passed with these Philippine and Cuban clauses by a vote of 43 to 18, and now depends upon the action of the lower house.

While the fate of the Philippines is thus hanging in the balance in congress, soothing reports of conditions in the archipelago come from Manila. They are to the effect that the Filipinos in large numbers are becoming convinced that the United States sincerely intends to confer upon them the blessings of civil liberty, and so are welcoming the organization of provinces under American sovereignty. The latest provincial organization reported is that of the province of Bulacan, in which Malolos, the old Filipino capital, is situated. Local government here was organized by the American commission on the 26th. Jose Serapio was made governor, and Capt. Ernest A. Greenough, treasurer. Salaries in this case are not stated in the dispatches. This province is not yet fully cleared of hostile Filipinos, Col. Morel, with a force of 300, being reported as operating from Santa Isabel.

A skirmish took place on the 22d near Santa Cruz, in the province of Cavite, in which several Filipinos were killed. Another hard fight occurred on the 25th near Cavinta, province of Laguna, and six Filipinos were killed. The same report tells of two others in the province of Albay, and still another in the island of Panay. In the first, 18 Filipinos were killed; in the second, nine; and in the third six. No American casualties are reported.

We turn now to China. The indications of the note of the 20th from