

er with the shamelessness of the robbery, has been something to excite the astonishment and horror of the civilized world.

The Republican majority in Ohio is said to be casting about for means to deprive Cleveland of local self-government by a ripper bill to balk Mayor Johnson; and a modified form of ripperism has been used in Michigan, to hold in check the progressists of Detroit.

Ripperism is based upon the idea that cities are mere creations of the state legislature, with no inherent right to self-government. Pennsylvania courts have long held to this view; and Quay and his crowd found the laws all in their favor. But in Michigan a different state of things existed.

Largely through the opinions and writings of one man, Michigan's great constitutional lawyer, Thomas M. Cooley, ripperism in Michigan has to overcome the obstacle of a splendid series of Supreme Court decisions upholding the inherent right of local self-government in cities. In Pennsylvania, when it is the desire of an upscrupulous machine to rob cities, all that is necessary for the state legislature to do is to pass an act removing the mayor and common council and appointing machine parasites, either resident or non-resident, armed with the requisite license to steal. This has been done time and time again in Pennsylvania. But in Michigan, and all states following the same rule of law, some mode must be found of doing the same thing through the medium of locally elected officers. So we find the Michigan ripper bills but a faint shadow of those of Pennsylvania. Boards are reorganized by state laws, and the appointment of the new boards placed with mayor or council as one or the other happens to be for the moment "right" on the question. But the ghost of Cooley still pronounces its "Thou shalt not" against the real thing in ripperism.

For the courts of Michigan have spoken in no uncertain tones on this point. They have said that the city existed anterior to the state, and the right to build cities and to govern them is a right which men had before

any state constitution was adopted. They have said that back of the written constitution is an unwritten constitution, under which cities have the right to local self-government.

Now that the question of local self-government is coming to the front, as an important element in political progress, it is a matter of congratulation that the Supreme Court of another state, Iowa, has taken its stand in favor of the cities, and against ripperism. This vicious principle was sought to be engrafted upon the laws of Iowa in a measure which looked harmless to most people, and may have been well-intended. It was in a law for the taking from the city government of the city of Sioux City and other cities of the same class the control of their water-works, and giving it to boards of commissioners appointed by the courts. It was said that city councils were often corrupt or incompetent, and that the courts would appoint "good men" who would be superior to the wiles of the wire-puller.

The city of Sioux City made a fight against the law. The case has recently been decided in favor of the city, a new law has been enacted providing for boards of commissioners appointed by the mayor of the city, and in most cases the old commissioners have been reappointed, and are now serving as city officers instead of minions of the courts. Superficially, it might be said that nothing has been gained; but the opinion of the court, which has now become a part of the institutions of the state, shows that the gain has been great. It is declared that the control of the state legislature over Iowa cities is not unlimited; and that in the matter of owning property particularly the city cannot be divested of its proprietary rights any more than can an individual.

There is another point in this most important case, equally worthy of note. The judges who were given power to appoint the Sioux City water-works commissioners, were elected in a large judicial district embracing several counties outside of the city. Their exercise of the power of appointment was, therefore, not only an infraction of local self-government, but a delegation of the power of administration of government to the

courts. This, said Judge Deemer in the opinion, is surely not a judicial function." "If," says he, "the courts may select city officials, they may also select those who are to administer the affairs of the county; and it is not going too far to say that they may also be authorized to select state officials." This cannot for a moment be admitted as correct.

Altogether, the opinion is a notable contribution to the cause of anti-ripperism. The cities of Iowa may continue to control the property they own, and the municipal ownership cause is relieved of a grave peril. Moreover there is a healthy democracy in the opinion which is refreshing.

"The property-owning and tax-paying classes," says Judge Deemer, "who suffer most from a material point of view under mismanagement and corruption, have the remedy in their own hands, if they choose to exercise it. This remedy is not placing all municipal affairs under the control of the judiciary, but by taking the same interest in the administration of local affairs that they manifest in the conduct of their private business. All authorities seem to agree that legislative and judicial interference in purely municipal matters has tended very greatly to lessen the sense of responsibility on the part of local officials, and upon the part of communities themselves. \*\*

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## NEWS

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Official disclosures of American atrocities in the Philippines, the beginning of which was described last week, are the principal feature also of this week's news. Owing to the censorship over the proceedings before the Senate committee, these disclosures are not reported as fully as they might be. No reporters are allowed at the hearings except representatives of the three press associations, all of which are under the management of sympathizers with the policy of Philippine subjugation. But even these news-gathering combinations are obliged to send out reports of testimony which indicates that a barbarous policy has prevailed. They report Edward J. Davis, formerly sergeant of company M. Twenty-sixth volunteer infantry, as having testified

on the 17th that he, like the witnesses of last week, saw the administration of the water torture to the presidente of Igaras. He told, moreover, of the burning of the town, saying that—

all but about 15 houses were destroyed; and men, women and children were forced out indiscriminately.

The orders to administer the torture and to burn the town were given by Maj. Glenn, of the regular army, and were executed by regular troops. The witness added that he had talked with regular soldiers about the water torture and had been given to understand by them that its administration was of frequent occurrence. On the 21st, Grover Flint, formerly first lieutenant in the Thirty-fifth volunteer infantry, appeared before the committee. He testified to having witnessed at least 20 applications of the water torture, some so severe that the teeth of the victims dropped out. Superior officers did not expressly order but did stand by and permit its infliction. He himself regarded the torture as a proper method of procuring information. Describing the practice of burning villages, he said that the purpose was "to drive the people to the woods or to the towns and concentrate them;" and he explained that the idea had been borrowed from Cuba, where he had seen the same thing done "under the authority of Gen. Weyler."

An attempt is being made by the minority of the investigating committee to induce the committee to call as witnesses Aguinaldo, Mabini, Sixto Lopez, Judge Pio del Pilar, Gen. Torres, Howard W. Bray, and two correspondents—Robert M. Collins and Harold Martin; but the committee has not yet consented, several of the majority being opposed to obtaining testimony from these sources. It has definitely decided, however, not to call Edward Atkinson, of Boston, who was prepared to furnish correspondence from the Philippines throwing light upon the American methods in vogue there. His testimony was excluded on the ground that he could not testify to having himself seen the things described in his correspondence.

Among a mass of documents submitted to the committee on the 18th by the secretary of war, at the request of the committee, is an order issued by Gen. Bell, announcing that—

wherever prisoners or unarmed or defenseless Americans or native friend-

ly to the United States government are murdered or assassinated, for political reasons, and this fact can be established, it is his purpose to execute a prisoner of war to be selected by lot from among the officers or prominent citizens held as prisoners of war, and chosen when practicable from those who belong to the place where the murder or assassination has occurred.

There is also a copy of a letter from Gen. Chaffee to Gen. Hughes, in which the former says:

I would not trust 50 per cent, of the male population, and they must not be trusted. It is our duty to suspicion every male inhabitant in these islands, and the proof of any error in this regard must rest with them, not so much in words as by action, which cannot be misunderstood. While I do not urge inhumane treatment of any person in these islands, it is necessary that we be stern and inflexible, and both officers and men must be cordially supported in their duty in this regard.

Pursuant to the President's orders, noted last week, Gen. Smith, who was charged at the Waller court-martial with ordering the killing of all natives over ten years of age, was recalled from the transport on which he had embarked for the United States, and ordered to remain in Manula under arrest pending an inquiry into the truth of that charge. This was on the 20th. On the 21st a court-martial was organized by Gen. Chaffee to try him. It was composed of Gen. Wheaton, Sumner, Bell and Bisbee, and Cols. Chambers, McKibbin, Rafferty, Dougherty, Markle and Lee, and Maj. Harvey C. Carbaugh as judge advocate. The trial was set to begin on the 29th. These proceedings were reported by Manila dispatches to be disquieting in army circles there. It was at first supposed in those circles that only a superficial inquiry would be made, but the organization of a court-martial to try Gen. Smith excited a general feeling that the investigation would disclose the fact that nearly all the officers in command had been aware of the barbarous actions which in these circles are so freely defended as necessary under the circumstances. Gen. Smith himself is reported to have made no denial of the charges, but to have impliedly justified the inhuman orders he is sworn to have given, by pointing to the hardships which his men had encountered and the treachery of the natives. After the organization of the Smith court-martial by Gen. Chaffee, as described above, instructions were given by the Presi-

dent dissolving it and reconstructing it directly under his orders as commander in chief. He reappoints the same members. The object of this action is to subject the verdict to review by himself directly instead of leaving the review to Gen. Chaffee.

While these proceedings are pending, a court-martial is trying Lieut. Day, on charges similar to those of which his superior, Maj. Waller, was acquitted—shooting prisoners without a trial. He testified on the 18th that the president of Basey, island of Samar, was shot, as he believed, by order of Maj. Glenn. He also testified that he had himself killed a prisoner who had been shot, but not fatally, by soldiers in obedience to his orders.

Regarding military operations in the archipelago—to which our latest reference, prior to the announcement last week of the surrender of Gen. Malvar, was made at page 745 of vol. iv.—numerous reports of surrenders of small parties of Filipinos come in. But this evidence of the subsidence of resistance to American authority by the Christian people of the islands is supplemented with reports of hostility from the Mohammedans. As stated last week, Gen. Chaffee had fitted out an expedition of 1,200 men to put down insubordination on the Mohammedan island of Mindanao. An American soldier had been murdered in that island, near Parang-Parang, and treachery against other soldiers had been attempted. Gen. Chaffee demanded of the dattos or chiefs the surrender of the murderers, but the dattos refused to comply, and would not even confer with Gen. Chaffee. Consequently he fitted out the punitive expedition of 1,200, already mentioned, and put it under command of Col. Baldwin. President Roosevelt decided that this expedition was premature, feeling that a war with the Mohammedans might be avoided; and on the 21st he ordered the recall of the expedition. But Gen. Chaffee was insistent. He cabled a protest to the war department, in which he explained that the American expedition was already upon the ground and had been fired upon, and said:

The withdrawal of our forces will ruin our prestige; to withdraw part of the force would be dangerous.

He further indicated no disposition to withdraw his troops unless he should have additional instructions to do so; and the President, after consulting the cabinet, decided on the

22d that as offensive operations had already begun, it would not be advisable to interfere. Accordingly, Gen. Chaffee was given a free hand, but cautioned to avoid causing a general war with the Mohammedan tribes which number in Mindanao over a million souls.

Passing over into China we shall find what may possibly be a repetition of the "boxer" outbreak of two years ago. This new rebellion was noticed in these columns last month (vol. iv., p. 823) as having arisen in southern China and advanced almost to Nanking. A two-days' battle had been fought about the middle of March, in which the government troops under Gen. Ma were worsted; and a few days later the rebels had captured a town in the province of which Canton is the capital. On the 8th of April advices from Hongkong were to the effect that Gen. Ma and Marshal Su, government commanders, had utterly routed the rebels and driven them to the mountains; but later advices coming from Canton were not so sanguine, and on the 16th it was reported from Canton that over 2,000 government soldiers had been ambushed in a mountain defile and killed or captured. The general situation was at the same time described as alarming. It was feared that both Gen. Ma and Marshal Su had been surrounded. As yet their safety is not assured. Canton itself was in such danger that reinforcements from Peking were urgently called for. The critical character of the situation, not only to the Chinese government but also to foreigners, was indicated on the 19th by dispatches from Peking, which told of the fears of the foreign legations. An official meeting of the foreign representatives in Peking was held on that day, at which it was decided, in view of the magnitude of the rebellion and distrust of the government, to station three cordons of guards around the legations.

While in the throes of this rebellion sweeping up from the south, China is being relieved of the threatened aggression of Russia from the north; for the Russo-Chinese treaty providing for the evacuation by Russia of Manchuria (vol. iv., p. 823, and vol. v., p. 10), now officially made public, contemplates a complete relinquishment. As the treaty is summarized from Washington—  
Russia agrees to restore the civil administration of Manchuria, without re-

serve, to the Chinese empire; to evacuate Manchuria completely, so far as military or civil control is concerned, within one year from the date of the treaty; to remove her army, except a small force for guarding the Russian railway, within one year, withdrawing a part of the troops in four months, another part in eight months and the final quota in twelve months; and to surrender all claim to exclusive railway and mining privileges in Manchuria, pledging herself and China to the "open door" principle in that province.

There is, however, a reservation attached to the treaty, which declares that if the Chinese government should violate any of the terms stipulated as conditions of this evacuation—

the Russian government will not hold itself bound either by the terms of the Manchuria agreement or by the declarations previously made in connection with the matter.

Russia, herself, is disturbed by internal commotions. There are fears, apparently well grounded, that the democratic revolt which found expression 20 years ago in the assassination of the czar has revived. The cruelly oppressive and arbitrary actions of the government for the suppression of personal liberty, bore fruit on the 16th in the assassination, by a student named Balsahonstt, of M. Sipraguin, the Russian minister of the interior. At first this was believed to be only an ordinary crime, but the conduct of the Russian authorities indicates that they believe it to have been political, and this is the belief also of persons familiar with Russian affairs and who are in sympathy with the victims of Russian autocracy. Following the assassination of the minister of the interior comes reports of the attempt upon the life of the governor of Warsaw, and also stories of peasant revolts in the south. But the censorship of the press is so much more perfect in Russia than in other countries that no really trustworthy or adequate reports of conditions there are obtainable.

Supplementing the vague reports of democratic conspiracies in Russia are reports of open defiance to her authority in Finland, a country which she has undertaken to assimilate (vol. i., No. 48, pp. 4, 9; No. 50, p. 11; vol. ii., No. 54, p. 10; No. 57, p. 6; No. 58, p. 1; No. 59, p. 7; No. 61, p. 10; No. 69, p. 1; No. 75, p. 10; No. 77, p. 10; vol. iii., p. 778; vol. iv., pp. 617, 666). A dispatch from Helsingfors to the Lon-

don Times, received on the 21st, reports that on the 18th, in a levy of recruits from the Helsingfors district, out of 857 summoned only 56 appeared. The remainder absented themselves as a demonstration against the Russian army edict. On the same day, for some venial offense of the populace the Cossacks charged the public in the Senate square and in the adjoining streets. They used their knouts indiscriminately, and the chief sufferers were cripples, aged persons and children. Some men resisted the Cossacks and many persons on both sides were wounded.

The disturbance in Belgium, explained last week, is reported to have completely subsided. The debate in parliament on the proposed reform in suffrage qualifications, to abolish plural voting and establish manhood suffrage on the principle of "one man one vote," which began on the 16th, was continued on the 17th. There was very little excitement on the 16th, but on the two following days the excitement was intense. A move was made on the 17th to close the debate on that day, but this was so violently resisted by the Socialists that the conservatives receded, and it was unanimously agreed to fix the hour of closing debate at six o'clock on the 18th. When that hour arrived a vote was taken, and the proposal to revise the constitution by abolishing the plural vote, which gives the conservatives control in the government, although numerically they are a minority of the people, was defeated. As the vote was 84 against revision to 64 in its favor, it would appear that the Clerical or conservative party, which has 85 votes in the chamber, was practically a unit against the reform; and that all the other parties—having an aggregate of 67 votes in the chamber—were one with the Socialists in its support.

Immediately after the commencement of this vote a riot occurred at Louvain, 20 miles from Brussels. The strikers there appear to have thrown up barricades and to have invited an attack by the military, which was made with fatal results. But this occurrence and one somewhat similar at Bruges were the only indications of a serious disposition to convulse the country in civil war. The principal leader of the Socialists, M. Vanderfelde, a member of the chamber of deputies, urged pacific methods, saying that an unarmed people could not