

to go, with a certainty born of confidence in familiarity with the route. We have discovered the most fundamental of elementary principles, and in their light problems otherwise perplexing may be easily and correctly solved.

NEWS

The award by King Oscar, of Sweden and Norway, in the Samoa arbitration, which was announced last month (p. 457), is now published in detail. To understand this international event it will be necessary to turn back to the news from Samoa of nearly four years ago (vol. i, No. 42, p. 11; No. 50, p. 9; No. 52, p. 7; and vol. ii., No. 53, pp. 5, 9), when Great Britain, the United States, and Germany became involved in a dispute over a native election, and warships of the former two nations bombarded native villages near the Samoan city of Apia.

Samoa, formerly known as the Navigator Islands and consisting of 14 volcanic islands in the southern Pacific, has a population of about 34,000 persons, nearly all of whom are natives. Nominally, they are Christians. In 1887 the native king, Malietoa, who had reigned since 1880, was deposed upon charges of robbing and otherwise maltreating Germans, and King Tamasese took his place. A year later Tamasese was overthrown by the native chief Mataafa; but Germany, to prevent Mataafa's taking Tamasese's place at the head of the native government, declared war against him. As this involved the Samoan interests of British and Americans as well as Germans, a treaty was signed at Berlin, June 14, 1889, between Great Britain, the United States and Germany, in which these powers joined in assuring the independence of Samoa and in guaranteeing equal rights of trade, residence and personal protection to the citizens of all three powers. Under that treaty the natives were to elect a king pursuant to their own customs, and a supreme court consisting of one chief justice was to be appointed by the treaty powers, which were also to administer the municipal district of Apia. At the time of the disturbances that necessitated the arbitration in which an award has now been made, the chief justice was an American, Will-

iam L. Chambers, while the municipal president of Apia was a German, Dr. Raffel.

Pursuant to the Berlin treaty Malietoa Paupepa was restored to the throne upon which Tamasese had been placed; but a new rebellion was raised by Mataafa in 1893, upon the failure of which the three treaty powers condemned Mataafa and his immediate followers to exile. They were allowed to return, however, when King Malietoa Paupepa died, which was on the 22d of August, 1898. Mataafa thereupon became a candidate for the vacant throne to be filled at a popular election to be held in the Autumn. His opponent was Malietoa Tanus, son of the late king and then a boy of 15. At the election Mataafa received 75 per cent. of the votes, Tanus receiving the remainder. The latter thereupon contested, and the American chief justice decided in his favor on the ground that Mataafa had been disqualified by the treaty of Berlin. He certainly had not been disqualified in terms by that treaty, but the judge reasoned that his rebellion and condemnation had operated to effect the disqualification. Upon the announcement of this decision, Mataafa declared war against Tanus, who was supported by Tamasese, whom the judge held to have been elected vice-king. In January, 1899, Mataafa conquered both, and they took refuge on board a British war ship. In this struggle the German representatives at Apia favored Mataafa while the British and American representatives favored his adversary.

Provisionally, the local representatives of the three treaty powers recognized the new government which Mataafa now established, but this provisional arrangement was soon reversed under orders from the home governments at London and Washington. In March, 1899, Rear Admiral Kautz, of the American navy arrived at Samoa in command of the warship "Philadelphia," evidently instructed, and at a conference on board the Philadelphia it was decided to put down Mataafa's government. Accordingly, on the 15th of March, 1899, Admiral Kautz proclaimed an ultimatum commanding Mataafa to submit by one o'clock that day and threatening bombardment in case of refusal. Mataafa responded (so it was reported at the time,

but the arbitrator finds otherwise) by crossing the bay and invading Apia in the direction of the British and American consulates. The allegation that he had done this was made the pretext for attacking him. The "Philadelphia" and two British war ships opened fire on the outlying native villages and continued their bombardment for more than a week, destroying several native villages and much human life. Finally, March 23, 1899, Tanus was crowned king under their protection. In this assault and the subsequent crowning of Tanus the German authorities at Samoa took no part. The German consul general had issued a proclamation at the outset, saying that the facts asserted by Admiral Kautz as the basis for his ultimatum were false, and announcing that he would uphold Mataafa's provisional government. Two weeks later Mataafa ambuscaded a detachment of American and British marines near Apia and after a terrific fight drove them back to the beach with loss.

Soon after the bombardment mentioned above a joint high commission of Great Britain, the United States and Germany was formed (vol. ii., No. 53, p. 9), which arrived at Samoa on the 13th of May (ib. No. 61, p. 11). Both Mataafa and Tanus appeared before the commission and agreed to abide by its decision, each laying down his arms (ib. No. 62, p. 10). The commission decided (ib. No. 65, p. 9; No. 68, p. 9) against Mataafa's claim to the throne: evidently as a compromise, however, for Tanus immediately resigned the kingship, and the commission agreed to recommend the abolition of the office. Pending the adoption of their recommendation by the powers the official duties of the king were reposed in the consuls. An amended treaty was accordingly ratified (id., No. 90, p. 10; No. 94, p. 9) which completely altered the relations of the three powers to the Samoan islands, dividing up the group between them; and in a supplemental treaty they referred all private claims growing out of the military operations against Mataafa, waged by Great Britain and the United States, to the arbitration of the King of Sweden and Norway. It is under that supplemental treaty that King Oscar now makes his award.

This award, which is too lengthy for reproduction here, sustains Ger-

many and decides against the United States and Great Britain upon every point. It holds that there was nothing in the treaty of Berlin or any subsequent agreement to authorize one of the powers or a majority of them in taking any action to enforce the decision of the American judge against Mataafa. It also decides that as the three powers had recognized Mataafa's provisional government they were bound on principles of international good faith to maintain the situation until by common arrangement they agreed to change it. The German consul is exonerated for his opposition to Admiral Kautz's proclamation; and in answer to the British-American contention that their military action was warranted because necessary for the protection of lives and property, which it was their duty to safeguard, the arbitrator says:

We have found nothing in the evidence before us to show that the general condition of affairs was such as to render the military action necessary for the protection of lives and property.

He then goes on to show that Mataafa never intended to cross the bay at that time and make an attack on the consulates, and on account of the state of the tide could not possibly have done so. Continuing, the decision recites that Tanus had been completely defeated before the arrival of the "Philadelphia," but that the United States admiral and the British authorities brought back his warriors and armed and provisioned them, giving them ammunition which under the treaty should have been issued only at the unanimous request of the three consuls. The decision concludes as follows:

That the military action in question, viz., the bringing back of the Malietoans and the distribution to them of arms and ammunition, the bombardment, the military operations on shore and the stoppage of the street traffic cannot be considered as having been warranted; and that, therefore, his Britannic Majesty's government and the United States government are responsible under the convention of the seventh of November, 1899, for losses caused by said military action.

The award reserves for a future decision the question as to the extent to which the two governments, or each of them, may be considered responsible for such losses.

In the anthracite coal arbitration

the taking of testimony began at Scranton on the 14th. Clarence S. Darrow represented the strikers. John T. Lenahan asked leave to represent the non-union miners, and his request was granted against Darrow's protest that Lenahan was appearing really for the employers under a false cover. The several capitalistic interests were represented by their respective lawyers, ex-Attorney General Wayne MacVeagh being one. After brief preliminaries, Mr. Darrow called John Mitchell as the first witness. Mr. Mitchell read a written statement. He was then questioned, though at no length, by Mr. Darrow, after which he was subjected to cross-examinations, day after day, by the attorneys for the employing interests, each in their turn, until the 19th, when he gave place to another witness. This was the Rev. Dr. Peter Roberts, a Congregational clergyman of Mahanoy City, the author of a book on the anthracite coal industry.

The 22d annual convention of the American Federation of Labor met on the 13th at New Orleans. In his reply to the address of welcome, President Gompers, alluding to a recent speech of President Eliot, of Harvard college, said: "I must fling the lie into the teeth of a would-be public educator, who said that a strike-breaker is a hero. Then Benedict Arnold is a martyr and Judas Iscariot is a saint." At this the convention broke into a storm of applause. In the same connection he referred to what he called the "bankers' union" as "pampered pets of the government," and compared with labor unions the unions of lawyers, which have, said he, "their apprenticeship, their working card, and every other form of a union." There were in attendance delegates from 69 national associations, 9 State organizations, 59 central bodies, and 54 local bodies, besides four fraternal delegates from abroad. On the 15th a resolution denouncing the ship subsidy bill now pending in Congress was carried with only one dissenting vote, while a motion declaring against the construction of the Isthmian canal by the American government was laid upon the table. Among resolutions adopted on the 18th were one opposing legislation against railroad ticket brokers and ticket scalping, and one pledging the aid of the Federation to secure better pay for letter carriers. A socialist resolution,

petitioning Congress to provide a pension for wage workers who reach the age of 60 years without having had an annual average income of \$1,000, was defeated, though by a vote of only 90 to 85.

A storm which has long been brewing between Mr. Gompers, president of the Federation of Labor, and Mr. Shaffer, president of the Amalgamated Association of Iron, Steel and Tin Workers, broke in the convention at New Orleans on the 17th, when the following resolution was offered:

Whereas, President T. J. Shaffer, of the Amalgamated Association of Iron, Steel and Tin Workers, at the last convention of that organization, held in Wheeling, W. Va., made charges against President Gompers, of the American Federation of Labor, which impeach his fidelity to the principles of unionism; therefore, be it resolved, that this convention appoint a committee to investigate said charges and report the findings to the convention in order that the truth may be known.

The resolution was adopted, and a committee at once selected, two members by Mr. Gompers, two by Mr. Shaffer, and one by the other four.

The controversy between Gompers and Shaffer rises out of the steel strike of 1901 (vol. iv., p. 394) and is reported to have included originally President John Mitchell of the mine-workers and Frank Sargent of the locomotive firemen, but President Shaffer has never pressed his charges against them, claiming to be without satisfactory evidence. This he asserts he has in the case of Gompers. He has summed it up in a circular, part of which reads as follows:

When we had almost completed arrangements with the representatives of the American Tinplate company for a scale of rates and conditions we were in fairly good condition to win without help, but looked for aid from other labor bodies, and especially relied upon the American Federation of Labor. As the strike went on the newspapers lied about us, the Federation gave us not a cent. Perceiving that lack of money, loss of public approval, desertion by hundreds of our own people, and neglect of other organizations would make it impossible to gain a decision, we endeavored to save what we could. I arranged for Mr. Gompers to meet J. Pierpont Morgan to effect a settlement. Mr. Morgan gave up his vacation, went to New York, and waited for Mr. Gompers, who failed to