The Sun.

SUNDAY, SEPTEMBER 16, 1900.

Subscriptions by Mail, Postpaid.

DAILY, per Month $0 50
DAILY, per Year 6 00
SUNDAY, per Year 2 00
DAILY AND SUNDAY, per Year 8 00
DAILY AND SUNDAY, per Month 70
Postage to foreign countries added.
THE SUN, New York City.

PARIS—Kiosque No. 12, near Grand Hotel, and Kiosque No. 10, Boulevard des Capucines.

If our friends who favor us with manuscripts for publication wish to have rejected articles returned, they must in all cases send stamps for that purpose.

Imperialism and the Courts.

The first coherent definition of "imperialism" that we have observed we find in a letter addressed to the Hon. JOHN T. MCGRAW, the Democratic National Committeeman of West Virginia, by the Hon. PERRY BELMONT of New York. We quote from it as it is found in the Baltimore *Sun:*

"The Republican idea, the imperialistic idea, is that all the millions of people in our territories and islands can, in time of peace, be governed by Congress according to its own fancy, unrestrained by the Constitution and the judicial powers. * * *

"Such 'imperialism' was by the Kansas City Convention made the supreme issue."

"The imperialism which the Democrats denounce is the Republican desire and purpose to govern the ceded islands in disregard of the Constitution."

"Imperialism" then is not government of the Philippines, but government of the Philippines "unrestrained by the Constitution."

Here are three pertinent facts:

I. The Republican policy is in accordance with every legislative act applied to territory newly acquired by the United States since the United States began their tremendous march of expansion.

II. The Federal Supreme Court backs it up with exhaustive and overwhelming authority.

III. The issue of "imperialism," as defined above, is again before the courts to-day.

If the Republican policy is unconstitutional, therefore, it will be so decided, and reversed. If it should be decided adversely to the Democrats, as precedent indicates, the Democrats will be Constitutionally bound to trample on their arguments and respect the law. It follows that "imperialism" must be a bogus issue in the eyes of law-abiding citizens. It is no more proper as an issue of a national election than any dispute at law now under the courts' consideration would be.

Bryanism, on the other hand, is not before the courts, but threatens them.

Either Democrats like Mr. BELMONT are more Bryanite than they know, or they are deliberately denouncing the Republican foreign policy in order that they may eventually pack the Supreme Court against it, as it is proposed by Bryanism to pack our highest tribunal for other purposes.

Mr. Hewitt and the Trust Question.

Our correspondent who paid a deserved tribute to the ability of the Hon. ABRAM S. HEWITT and his fidelity to conviction, spoke of his views of the "trust" problem as having been borrowed from THE SUN. This was an error and it does injustice to Mr. HEWITT, for he is distinctively a man of an original mind who does his thinking for himself.

So long ago as 1878, Mr. HEWITT, in a suggestive address on "Capital and Labor" before the Church Congress, at Cincinnati, presented very strikingly the very ideas concerning trusts to which our correspondent referred. They took shape in his mind while engaged in a thorough investigation of the subject as a member of a committee of Congress appointed for the purpose, but whose report, unfortunately, has never been made and published.

At that time, nearly a quarter of a century ago, Mr. HEWITT outlined a theory of the advantages of trusts to labor which is now beginning to provoke favorable thought in the minds of intelligent workmen. Even then corporations controlled more than half of the manufacturing business of the world, although the first industrial corporation had been organized less than fifty years before. Indiscriminate attack on corporations was then fashionable among social and political demagogues and shallow economic philosophers, as it is now, though it is an attack, as Mr. HEWITT said, upon "that phase of human organization which offers the best promise for the advancement of the working classes." "Because new agencies produce evils we must not lose sight of the greater good of which they are capable and in reality accomplish." "The corporate principle" he went on, expressing the idea to which our correspondent referred, "is the only one which admits of the association of labor and capital upon the basis of an ownership distributed among those who contribute either capital or labor. Such an ownership is indispensable not merely to harmony, but also to the achievement of the largest possible results and the equitable distribution of the products of human industry."

The industrial combinations, corporations, "trusts" have been an inevitable development, due to the impossibility of profits under the system of the past; "and labor is becoming sufficiently intelligent to understand that it must rely for compensation on what the business can afford to pay." Moreover, a consequence of such combination is that there is no longer secrecy in business "The exact condition, not only of any particular business, but also of business of all kinds, is now generally understood and will become more and more the property of society." With the "trusts," too "the great object aimed at is rather steadiness and stability of business than excessive or spasmodic profits" Through the division of the capital of such industrial combinations into many shares, costing a comparatively small sum each, employees are enabled to become shareholders in the business; "and the habit of association, not only between workmen and employers, but between different organizations engaged in the same kinds of business, will go far to mitigate the evils of the competitive system;" and as "self-respect usually increases with the possession of property, property itself being a humanizing and refining agency," the moral gain will be great. With increased production go lower prices and lower prices mean increased consumption and consequent "improvement of the condition of mankind."

Ambition to become interested in the business as shareholders will encourage saving, "the parent of capital," among the workmen. Incidentally will come abstinence, without which the saving is impossible. "When," continues Mr. HEWITT very significantly, "one reflects on the vast expenditures of the working classes in all civilized countries for tobacco, liquor and other indulgences, which, to say the least, are productive of no advantage to them, it is easy to see that in a single year a large fund could be accumulated for investment in business enterprises, and that in a generation the whole capital invested in industrial undertakings might be transferred to the wage-earning class." Confirmation of this is furnished by the two and one-half billions of dollars deposited in the savings banks of this country, and that sum would be increased vastly if the abstinence advocated by Mr. HEWITT was general among workmen, for now, relatively to their incomes, they spend more for luxuries than the richer part of the community.

Mr. HEWITT, in a speech in Congress in 1884, or six years after this address to the Church Congress, pursued the same idea in declaring that in this new industrial system "we have now entered upon the final struggle for industrial freedom." The ultimate results of this struggle he thus described:

"The world will be filled with wealth, partly the accumulations of past ages, and more the product of the present age, when the genius of man has made him master of all the subtle forces of nature. Capital will be superabundant, and therefore cheap. But capital will then be the servant, and no longer the master, of labor. Labor will no longer be hired by capital, but will hire it. It will no longer work for wages, but for profits, which will be proportioned to the natural resources of each country, without deduction for the support of special classes of men, or for the advantage of special interests, at the expense of the general welfare."

This, as Mr. HEWITT said, is "no dream of an enthusiast, but a sober deduction from the study of the operation of the principle of association which is invading and taking possession of every domain of human affairs."

Again, in 1890, Mr. HEWITT presented these ideas in his address as President of the American Institute of Mining Engineers. He then called attention to the necessity of requiring by law that such industrial organizations, like banks and trust companies, should "report the result of their business and be open to the inspection and scrutiny of public officers appointed for the purpose," with a view to preventing "the disturbance and dislocation of industry." Thus protected, the prudent and intelligent workman, through the facilities offered by the distribution of corporate shares, will put himself on a level with the capitalist, so that "the time is near when it will be discreditable to a workman not to be also an owner in the establishment in which he works."

These views, thrice publicly repeated by Mr. HEWITT during the last quarter of a century, are statesmanlike in their conception and of a broad philosophic comprehensiveness. Better still, they are true.

Confucianism in the Nineteenth Century.

The most valuable contribution to the September number of the *North American Review* is an article entitled "Confucianism in the Nineteenth Century." This is a record of first-hand observation, wisely interpreted, by Dr. HERBERT A. GILES, who for thirteen years was a member of the British Consular Service in the Celestial Empire, and who is now the professor of Chinese in the University of Cambridge.

Nearly forty years ago Dr. LEGGE wrote of CONFUCIUS as follows: "His influence has been wonderful, but it will henceforth wane. My opinion is that the faith of the nation in him will speedily and extensively pass away." Dr. GILES says that, on the contrary, the hold of the teachings of CONFUCIUS upon his countrymen seems to-day as strong as ever. The fact is the more remarkable because little or nothing has been done by the Emperors in the present century to promote the influence of Confucianism, whereas, between 1662 and 1796 no effort to that end was spared. In 1670 was put forth what is known as the Sacred Edict, embodying a number of injunctions tending to "get rid of heterodoxy and exalt the orthodox doctrine," and in 1675 was published a vast collection of commentaries upon the Confucian Canon filling no less than 120 large volumes. One of the enactments contained in the Sacred Edict was that it should be publicly read to the people on the first and fifteenth of each month at every important centre of population all over the Empire. For a considerable period during the first half of this century this practice had been allowed to fall very much into desuetude at Canton. About the year 1850, however, a number of educated Chinese, taking alarm at the open activity of Protestant missionaries, formed themselves into a society for reading and studying the Sacred Edict among themselves. After the close of the Tai-ping Rebellion, Confucianism at once and completely regained the ground which it seemed temporarily to have lost. The production of Confucianist books showed marked signs of increase; clearly printed editions of the Classics and kindred work were issued from Wu-chang, the capital of Hu-peh, at a price which placed them within reach of the masses. The story of the Reform movement and of the virtual deposition of the Emperor KWANG-SU in September, 1898, is familiar. Dr. GILES has no doubt that, had KWANG-SU remained in power, Confucianism would have been forced to modify its intolerant attitude toward foreign standards of thought and education. Upon the suspension, however, of KWANG-SU's active functions, it was determined that the old examination system, which had prevailed almost unaltered for nearly six centuries, while its roots extended back beyond the Christian era, should be restored in its integrity. The introduction of "new, depraved and erroneous subjects," by which must be understood modern scientific teaching, was strictly prohibited under various pains and penalties. Thus the occupation of the newly inaugurated University of Pekin was gone, and, for the time being, Confucianism was triumphant.

Dr. GILES does not hesitate to express the opinion that any attempt to extirpate Confucianism will fail. It is too deeply planted in the customs of the Chinese people to be uprooted. Consequently, although he holds that Confucianism should be obliged to evince toward Christianity the same tolerance which it shows to Buddhism and Taoism, he holds also that a reciprocal concession should be made, and that Confucianism should be permitted to subsist side by side with Christianity, as Stoicism was by the first Christian Emperors of Rome, and as Positivism and Agnosticism are in Christian Europe to-day. The two practical features of Confucianism, to wit, its patriarchal system and its commemorative worship of ancestors, cannot be subverted, and it would, therefore, be wise to make the best of them. That was the conviction arrived at by the learned Jesuits of the seventeenth century, who pronounced the Chinese practice of ancestral worship nothing more than a civil rite, and in no way incompatible with the profession of the Christian faith. Dr. GILES believes that, had this declaration been allowed to stand, the probability is that the Catholic religion would now be the religion of China. The Jesuits, however, were opposed by the ignorant Dominicans, and, the question being referred to the Pope, it was decided in favor of the latter. Thus a great opportunity was missed. The importance attached to the cult of ancestors at the present day may be guaged by an Imperial edict issued on Feb. 15, 1900, in which LI HUNG CHANG was instructed to desecrate and destroy the tombs of the forefathers of the fugitive reformer KANG-YU-WEI. We should here note that the tolerance extended by Confucianism to Buddhism and Taoism is due to the fact that on every Buddhist and Taoist altar stands a small tablet recording political allegiance to the Emperor. Confucianism asks for no more; it will not permit any effigy or likeness of CONFUCIUS to be set up in any such place of worship. Christian missionaries have not seen their way to the same compromise. Nevertheless, more than one Protestant missionary has acknowledged that "there is in Confucianism much that is excellent concerning the relations of man, and many points in which the doctrines of Christian revelation are almost echoed." The view, indeed, prevails much more widely now than it did a few years ago, that the sooner missionaries devote themselves to a close study of Confucian doctrines the better.

It is the fashion to deride the Chinese curriculum, and Dr. GILES does not deny that the introduction of science would be advantageou in many ways. At 'the same time he acknowledges that the Chinese Classics have had precisely the effect attributed by Prof. JEBB in his lecture on "Humanism in Education" to the Classics of Greece and Rome; that is to say, "the culture which they supply, while limited in the sphere of its operation, has been an efficient and vital influence not only in forming men of letters and learning, but in training men who afterward gained distinction in active life and in various public careers." There have been many admirable specimens of Confucianists during the present century; men who not only have been successful as administrators, but have gained a lasting name for probity, courage and frugality. One of the most eminent living examples of the ethical value of Confucianism is CHANG CHIH-TUNG, Viceroy of Hu-peh and Hu-nan, who, in spite of the high posts he has filled and is now filling, is a poor man, and is universally known to be incorruptible. As for the patriarchal system, it has many advantages. It encourages morality and thrift, knits close the family ties and, in days of failure and distress, provides a support for individuals by means of a common fund.

On the whole, Dr. GILES seems to think that the time has come for giving up frontal attacks upon Confucianism. There is, he says, really very little to attack, apart from the dogma that man is born good and that his lapse into evil is wholly due to his environment, a dogma which Dr. WEISMANN would accept; and, apart from the worship of ancestors, which, as being mainly commemorative, the Jesuits of the seventeenth century were, as we have seen, disposed to tolerate. The cardinal virtues which are most admired by Christians are strongly inculcated in the Confucian Canon, and, according to Dr. GILES, the general practice of these is certainly up to the average standard exhibited by foreign nations. When the first Chinese Ambassador to England was departing homeward, he said plainly that, while in material civilization, England was far ahead of China, their national morality was nothing less than shocking. "It must, indeed," says Dr. GILES, "seem strange to a Confucianist, that, with all the boasted influences of Christianity, it should still be necessary to organize a Society for the Prevention of Cruelty to Children, the ill treatment of children being quite unknown in China." The charge that female infanticide is due to Confucianism is pronounced glaringly absurd. In this case, it seems possible actually to prove a negative. Every Chinaman marries young. If his wife dies he marries again, while, on the other hand, it is not thought proper for widows to remarry. Moreover, many well-to-do Chinamen take concubines; some take two, three and even four. It follows that, unless there is an enormous disparity in the numbers of boys and girls born, which is incredible, extensive female infanticide cannot be practised in China.

The conclusion is that Christian missionaries would do well to divert their onset away from Confucianism and in the direction of Buddhism and Taoism. If the two last-named religions, which, whatever might once be said for them, are now corrupted and overlaid with degrading superstitions, could be displaced by Christianity, and if Confucianism could be recognized for what it is, a pure cult of virtue, with commemorative ceremonies in honor of its founder and of family ancestors, one great barrier between Western peoples and the Chinese would be broken down.

The Falling Off of the American Bible Society's Business.

It is a significant circumstance that the American Bible Society, the great organization for the distribution of the Bible which has been in existence for more than three-quarters of a century, is now meditating the sale of its extensive Bible House at Fourth avenue and Ninth street and the transference of its manufacturing and publishing business to some country place where property for the purpose is far cheaper.

This Bible House, a spacious brick structure, was erected forty-eight years ago and it was long among the most notable buildings in New York and as such was visited by strangers generally. The supply of Bibles in this country had been wholly insufficient for the demand when this society was organized in 1816 by the combination of smaller organizations of the kind. So great was the scarcity of the Scriptures during the Revolution that the Continental Congress voted to print 30,000 copies, and when it was found impracticable to print them in this country the Committee of Commerce was directed to import 20,000 copies, on the ground that the use of the Bible "was so universal and its importance so great." It being impossible to obtain the Bibles because of the embargo, Congress, in 1782, passed a resolution favoring and commending a privately printed American edition as "a pious and laudable undertaking, subservient to the interests of religion."

After the Revolution American Bible societies sprang up and multiplied until there were thirty-five represented at the meeting for the organization of the present American Bible Society. This society has printed and circulated nearly seventy millions of Bibles during the period of its existence and it has been a favorite object of pious benevolence. It seems, however, according to a statement by one of its Secretaries in the *Herald*, that such contributions "have greatly fallen off of recent years." Meanwhile "the price of Bibles has been amazingly reduced," so that a private publisher says that now "there is no money in Bibles." Cheap as they are, however, the demand for them has diminished. Over four hundred thousand more Bibles and Testaments were sent out by the American Bible Society five years ago than are sent out now, and its receipts in money have fallen off nearly one-half.

Under such circumstances the association, very naturally, is considering methods of retrenchment, and one of the most important and most necessary of these is the sale of its property at Ninth street. So expensive a plant is wasteful and unjustifiable in such an institution. A site for its manufactory that would equally well serve its purposes could be bought at a tithe of the value of the present Bible House. Some income is derived from renting a part of the building, but it is not enough to make it a profitable investment of the money of the pious. Moreover, the structure is old and according to the standard of these days is a rattletrap liable to burn up. As a big piece of landed property, not frequently obtainable now in crowded New York, it ought to fetch a large price; though, unquestionably, it is not in a situation where such property can be called "gilt-edged." The more valuable it is, however, the more reprehensible is the policy of occupying it by a society dependent on religious contributions. Such institutions have no more right to go into real estate speculations than into stock gambling. The Tract Society had no moral right to borrow a million dollars to speculate in a building in Nassau street and the Presbyterian Mission Boards to put up their enormously costly structure in lower Fifth avenue. They have no need of them for their own uses The Bible Society could manufacture its Bibles a hundred miles away from New York as well as on an expensive site in town.

But there is something else of far graver significance in this decline of the business of the Bible Society. It is the lessened reading of the Bible indicated. No one who inquires among the younger men of this time is not struck by discovering how little is their familiarity with the Bible. Our current literature is not penetrated with its spirit and shaped by the language of the King James Version, as was the English literature of the past. Bibical quotations which used to be on every tongue are rarely heard now. In how many families now is the Bible read as a part of daily devotional exercises, though formerly it was used thus in every Protestant household of a religious tone?

This present neglect of the Bible, however, cannot be called surprising It is a natural consequence of the discredit thrown on the Scriptures even by clergymen and teachers of theology. The Bible is no longer distinguished by them as the infallible Word of GOD, but is apologized for as mere "literature" disfigured by human errors, the guile of priestcraft, and the ignorance and credulity of semi-barbarous compilers. It is no longer held up to men as the one Book absolutely separated from all human literary productions, but is discussed as simply one of the sacred books of the religious and superstitious of the world

It is no wonder, then, that the business of the American Bible Society is falling away. How could it be otherwise?

A Desperate Game.

The anthracite coal strike, to a great extent doubtless, is a Democratic device for bringing about the calamity which the Bryan prophets of 1896 predicted in vain. It is a political blow at the prosperity and industrial contentment which have made the Bryanistic appeals for support sounding absurdities.

As disaster refused to follow MCKINLEY's election four years ago, it must be made to precede election day in 1900 or his reelection is sure.

It is a dastardly game, doomed from its very enormity to failure.

Galveston.

On last Sunday, before the waters had actually subsided from their streets, the people of Galveston declared, in no halfhearted tones, that their city must rise again. The whole of Texas would repudiate the idea that there is not a bright future before Galveston. The railroad system of the State was laid out with a view to facilitating access to the only important port of Texas. In Texas there are four large railroad centres from which lines radiate to all points of the compass; and these receiving points are all feeders of Galveston's commerce.

They are Dallas, surrounded by great areas of cotton and wheat fields; Fort Worth, the largest centre of the Texas cattle trade; Waco, whence much of the export cotton of the rich Brazos Valley is shipped to Galveston; and Houston, on which 7,000 miles of railroad converge and which has the advantage both of rail and water communication with the port. Without Galveston the entire economic development of the State would be thrown into confusion The port also has direct communication, by the Southern Pacific, with the cattle ranges of western Texas and the combination of cattle and cotton gives rise to one of Galveston's conspicuous industries, the manufacture of oil cake for cattle feed. Galveston will continue to occupy the old stand and do a larger business than ever.

The Republican campaign in New York city opened on Friday night with the explosive force of four great meetings. The point now is to keep it up.

The deceit practised on the Philippine leaders is not exceeded by any act of national duplicity since the butcheries by PIZARRO or the infamies of CLIVE and HASTINGS.—*Cincinnati Enquirer.*

This recalls the nursery rhyme written by the Hon. JOHN ROLL MCLEAN at Cambridge, Mass., a generation ago:

"Wicked old PIZARRO,
What a wretch you are, O!
You nabbed the simple natives
And you biled 'em in a jar, O!"

Mr. STANCHFIELD is still a young man.—*Buffalo Times.*

But the hope of former days has departed from the young men of the land.

THE PHILIPPINES IN INTERNATIONAL LAW.

Precedents That Sustain the Administration's Position.

TO THE EDITOR OF THE SUN—*Sir:* It seems to me impossible for the so-called anti-imperialists to maintain their position with respect to the acquisition by the United States of the Philippine Islands upon the authorities and precedents of international law. We acquired the islands by cession from Spain, and not by conquest. The treaty between us and Spain which was concluded at Paris on Dec. 8, 1898, expressly so declares; and the condition of cession, namely, the payment by us of $20,000,000, has been fulfilled. The title has passed. The sovereignty is now in us and we are in legal possession.

The principal instances of cession of territory to us by treaties concluding wars are those of Texas and the Philippines. The annexation of Texas, as is well known, did not immediately follow the treaty of Guadalupe Hildago, concluded Feb. 2, 1848.

It is customary in most modern treaties of cession to make provision enabling the citizens of the ceded territory to preserve their nationality of origin in case they so desire, upon compliance with certain specified conditions, but citizens have no absolute right of keeping their old allegiance, irrespectively of treaty. In the case of the United States vs. De Repentigny, 5 Wallace, 260, this rule was laid down:

"A rule of public law is that the conqueror who has obtained permanent possession of the enemy's country has the right to forbid the departure of its new subjects or citizens from it and to exercise sovereign authority over them."

Halleck (II., 486-487) and Calvo (section 2164) think that inhabitants of a ceded country have a right of keeping their old allegiance, if they choose to emigrate: but Hall says:

"It is unquestionable that to prevent them from doing so would be harsh and oppressive in the extreme, but as the possession of such a right is inconsistent with the general principles of law, it could only have been established by a practice of which there is certainly as yet no reasonable evidence."

So far as what may be called the Spanish portion of the population of the Philippines is concerned, the treaty observes all the requirements of international law and is humane to a degree.

Most modern treaties, commencing with that of Vienna in 1809, and coming down to that of Frankfort in 1871, which closed the Franco-Prussian War, required the natives or citizens of the ceded territory, in case they wished to preserve their allegiance of origin, to emigrate within a limited period; but our treaty contains no such requirement. On the contrary, by Article IX., Spanish subjects who are natives of the Peninsula may preserve their allegiance to the Crown of Spain, by simply making before a Court of Record, within a year from the date of the exchange of ratifications of the treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced their allegiance and to have adopted the nationality of the territory in which they reside.

It is, however, the following portion of Article IX. which seems to have stirred up the ire of the anti-imperialists: "The civil rights and political status of the *native inhabitants* of the territories hereby ceded to the United States shall be determined by the Congress." Here, they say, we have departed from our traditional policy: we have not by the treaty pledged ourselves to incorporate the Filipinos into the Union. We have broken with the past and changed our national course. We can admit the Filipinos to citizenship or not, as we please. If we do not admit them we shall be imposing our sovereignty upon them against their will, and governing them as subjects.

It is not difficult to answer this upon purely legal grounds.

First—We were not, either by international usage or law, bound, in advance, to pledge ourselves to incorporate them into the Union. When a sovereign acquires an inhabited territory, he acquires full dominion over it, subject only to the qualification that this dominion does not divest the vested rights of individuals to property.

Delassus vs. United States, 9 Peters, 117; Mitchell vs. United States, ibid., 711; United States vs. Percheman, 7 ibid., 51.

Second—Even our own practice, with respect to the citizenship of native tribes, in territory acquired by cession has not been uniform. By Article III. of the treaty of 1803 with France, by which we acquired Louisiana, it is provided that:

"The inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States."

Article VI. of the treaty of 1819 with Spain, by which we acquired Florida, contains a provision to the same effect, though the conferring of citizenship upon the "inhabitants" is to take place "as soon as may be consistent with the principles of the Federal Constitution." In neither of these treaties is there any distinction made between the citizens either of France or Spain and the others, but the people are all grouped together under the simple designation, "inhabitants." It is well known that both Louisiana and Florida contained, at the time of cession, quite a mixed population of French, Spaniards, Creoles, Indians, and negroes. It will be observed that, while the treaties named bound us to incorporate the inhabitants of the ceded territories into the Union, no time is fixed, the treaty with France providing for the admission of the "inhabitants" to citizenship "as soon as possible, according to the principles of the Federal Constitution;" and that with Spain "as soon as may be consistent with the principles of the Federal Constitution." The United States, although under compact, were thus left free to determine their own time for the fulfilment of the compact. In neither Louisiana nor Florida were there ever any Indians admitted to citizenship; and the general population of negroes which inhabited those territories at the time of cession did not live to cast their first votes for Abraham Lincoln.

Article IX. of the treaty of 1848 with Mexico, by which we acquired such large territories from that country, makes no provision whatever for the incorporation of the native tribes and other inhabitants, but only for Mexican citizens, who should not, in conformity with the treaty, preserve their Mexican citizenship. They, and they only, in that event, "shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States according to the principles of the Constitution."

By the treaty of 1867, Article III., by which Russia ceded Alaska to us, the native tribes are expressly excluded from the agreement on our part to confer citizenship. The Russian inhabitants "may continue their allegiance to Russia by returning thereto within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may from time to time adopt in regard to aboriginal tribes of that country."

Thirdly—It will hardly be disputed that no State is bound to make all its inhabitants citizens. Citizenship is a privilege and not a right.

The last and most tenacious objection held by the opponents of the annexation of the Philippines is that we have no right to annex them and impose our rule upon them without the consent of the inhabitants. Stated in its most pungent form, this objection is: "We bought the Philippines without their consent at $2.00 each, and the War of the Rebellion ended in our country the traffic in human flesh."

We have heard a great deal about Jefferson's dictum that "Governments derive their just powers from the consent of the governed." All this is wide of the mark, and has no application whatever to nternational transactions. It would be difficult to point out in history a single example where in the case of ceded territory its inhabitants were asked for their consent to the cession. To ask for such consent would be inconsistent with the paramount authority of the governments concerned; and in case that consent were refused, the governments would not be governments. Moreover, it would b impracticable to get such consent. How is it to be ascertained? If by vote of the people, who is to determine who shall vote? Must the consent be unanimous? Are the qualifications of voters to be tested by property, education or the bare fact of residence, or how?

Was consent to cession asked of the inhabitants of Louisiana, or Florida, or Texas, or Alaska?

Was the consent to cession asked of the inhabitants of Alsace and Lorraine in 1871?

In conclusion, the rule of international law can best be given in the language of Hall. I quote from page 48 of the fourth edition of his treatise on that subject, published in 1895:

A misapprehension of the like kind is sometimes met with in regard to the right of alienation, the exercise of which is said to be subject to the tacit or express consent of the population inhabiting the territory intended to be alienated. The doctrine appears in two forms, a moderate and an extreme one. In its more moderate shape it appears to come to little more than a denial that title by cession is completed when the ceded territory has been handed over by the original owner to the new proprietor, peaceable submission by the inhabitants being necessary to perfect the right of the latter; but it is occasionally declared that the cession of land cannot be disassociated from that of the people who live and enjoy their political rights upon it, that "a people is no longer a thing without rights and without will;" that its consent, if not otherwise proclaimed, must be testified by a vote of the population or its representatives and that international law has adopted this principle by its practical recognition in the treaty of Turin, which regulated the cession of Savoy to France, in the treaty of London, by which the Ionian Islands were ceded to Greece, in the treaty of Vienna, which stipulated for the eventual cession of Venetia to Italy, and in that portion of the treaty of Prague which referred to Northern Slesvig. For an answer to this doctrine in its extreme form it is only necessary to traverse the allegation of fact. *The principle that the wishes of a population are to be consulted when the territory which they inhabit is ceded has not been adopted into international law and cannot be adopted into it until title by conquest has disappeared.* The pretension that it was sanctioned by the treaties cited has an air rather of mockery than of serious statement, when the circumstances accompanying the cession of Savoy and Nice are remembered and when the only treaty of the number, the breach of which opportunity and desire combine to render possible, remained unobserved, and has finally been cancelled. As to the milder form of the doctrine, it is only to be said that States being the sole international units, the inhabitants of a ceded territory, whether acting as an organized body or as an unorganized mass of individuals, have no more power to confirm or reject the action of their State than is possessed by a single individual. An act on the other hand, done by the State as a whole, is, by the very conception of a State, binding upon all the members of it.

The italics are mine. It would seem to follow that, in annexing the Philippine Islands by the treaty of Paris, we not only did nothing inconsistent with our own previous policy, but that we strictly observed every legal and humane consideration of international law. WILLIAM C. DAVIS.

120 BROADWAY, Sept. 7.

Match and Freeze-Out.

TO THE EDITOR OF THE SUN—*Sir:* X and Y begin to match for a dollar a turn. They match twice and X loses each time. X says to Y, "Let's turn it into a five-dollar freeze-out?" Y replies, "All right." A five-dollar freeze-out consists in placing five markers on the middle of the table and matching until one or the other has all the five markers, at each match the winner taking one marker from the middle of the table or from his opponent's hand. When one or the other has all the markers in his hand the loser pays the winner $5. When Y said, "All right," five markers were placed in the middle of the table and Y took two markers from the middle of the table and placed them in his own hand. The parties then matched until X had all the five markers.

Q. How much does Y owe X?

Supplemental question. What did Y gain by the whole transaction?

Upon the first question Y contends that he owes X $3, viz: the amount of the five-dollar freeze-out, less the $2 lost by X in the straight matching. X contends Y owes him $5, viz: the amount of the freeze-out, the first transaction being merged into the freeze-out by giving Y two markers.

On the supplemental question X contends he risked and gained but $5 on the whole transaction, the first contract of straight matching being merged in the second contract of a freeze-out, and thus entirely obliterated as a separate transaction, the acts under the first contract being treated as a part of the freeze-out. Others contend that X, by changing the game to a freeze-out, and winning the freeze-out gained $7 by the whole transaction, viz: the cancellation of a debt of $2, and $5 cash on the freeze-out. X. Y.

The case is clear, made so particularly by what X said to Y when they "turned it into a five-dollar freeze-out," and what Y did, with X's approval, when he placed the two "markers from the middle of the table in his own hand."

After the first stage of the game, after they had matched twice for $1 a turn, X owed Y $2. Then, said X, let us change this transaction into another, namely, a $5 freeze-out Five chips, each representing $1, were placed in the middle of the table, and to prove that, according to the understanding of each, the matching, with its winning and losing of $2, was merged into the freeze-out, Y took $2 which X owed him in the shape of two freeze-out chips; and the freeze-out contest began on the basis of that transfer, with the approval of X. Y by transforming the advantage he had gained from the matching into a lead of two in the freeze-out obliterated the first. By yielding these two chips X paid the $2 which he had lost. So the freeze-out became the only transaction between them, and X won. Five dollars pass to him and no more.

The Betting of Tammany.

Down into his belt the Chieftain
Goes a-rummaging for wampum;
Goes a-rummaging for wampum
Wherewithal to meet the making
Of another bet on Bryan;
$0,000 wads of wampun
Yanks he out and shakes his feathers;
Shakes his feathers and his wampum
At the foe with 50,000
Who is backing up his judgment
With the plunks at such a ratio;
And the Chieftain in his feathers,
In his feathers and his fury
That a G-O-Pier warrior
Has the war paint in his system
Thus to offer 50,000
For a chance to pull in twenty,
Ducks him deep into his dugout
In among his hard earned savings
For another wad of wampum
To invest in booming Bryan—
Bryan mighty, matchless leader,
Bryan chief of all the chieftains,
Bryan peerless, prince of powwows,
He who gives to New York's sachem,
Promise of all kinds of places
For warriors who surround him
And who do the campaign shouting;
Promises to give the sachem
What he wants, when William Jennings
Gets what he wants, if the sachem,
In his fuss and in his feathers,
Waves his wampum at the warriors
Of the eager G-O-Piers,
Thus to scare them by his bluffing
Till he makes them hunt their teepees.
Twice the sachem, in his propping
Of the cause of William Jennings,
Has put up his 20,000,
Making 40 to 100,
Knocking out the famous ratio
Of the platform in its glory.
What is sixteen to the sachem?
What is one to what he's after?
If his 40 to 100
Bring him that which he is seeking,
Sixteen Bryans and the balance
Of the crochets of the party
May arise and go to thunder,
One and never ending thunder.

WILLIAM J. LAMPTON.

COLORED SERVANTS

Strongly Recommended by a Woman of Experience.

TO THE EDITOR OF THE SUN—*Sir:* I was very much interested in your article in last Saturday's SUN, Sept. 8, called "Negro Women's Influence," and I thought if the people of the North, the women especially, would only do their share to help the negro race it would materially aid in solving a difficult problem.

How help them? By employing them. A few of the leaders of society could easily make it the fashion to have colored servants. Some say they are lazy and dishonest—but there are people in New York who never have anything else, so that it cannot be the case with all; I myself have employed no other kind for twenty years and I have never lost a thing, whereas, my sister with three Irish women in her house last winter had constant mysterious disappearances. I do not say to discharge faithful Irish servants, but if you are getting new ones, give the colored ones a trial.

Why should Americans be the only nation to import their servants? The English feel they are best served by an English butler or an English girl, the French by a French maid, while we who have our serving class at our own doors and in large numbers, refuse to employ them. They are the American servants.

175 SECOND AV., Sept. 12. M. D. JOHNSON.

HEADGEAR FOR A SQUAW.

Woman Who Lost Her Hat Out of a Train in the West Sees It a Year Later.

"Talking of buying expensive hats," said the New York woman, "reminds me of what happened to a cousin of mine. She was a young widow with two children to educate. Her income being small, she went to Chicago from her Montana home to study art in order to open a studio herself. The lessons were expensive and when the time came for her to return home she was short of money. However, she saw a hat in a shop window that pleased her fancy. Of course it was expensive; what pretty hat isn't? She knew the price was more than she could afford, and for some days she resisted the temptation to buy it. But the day before her departure for Montana she bought the hat, and decided to wear it on the train, thinking it would be injured less than if packed.

"While changing cars at a railroad junction in a gale of wind her hat blew off and went sailing over the plains. There was no time to run for it, as the train was late and moved right on. Besides this my cousin had both children with her, the younger one in her arms. Trying, wasn't it? And now what do you think happened a year after? My cousin came East again and naturally as the train reached the place where she had lost her hat just a year before, she looked out of the car window, and there on the platform of the newly erected little station stood a squaw rigged out in all the splendor of her native costume and on her head reposed the very hat that had been such an expense and annoyance to my cousin. It was a comical sight and almost reconciled her to the loss, especially as the glory of the hat had departed, the feathers looking forlorn and the trimming generally the worse for wear."

Marriage in Cuba.

TO THE EDITOR OF THE SUN—*Sir:* Without aiming to impair in the least the veracity of your Havana correspondent, generally so well informed, I would like to correct some of his statements as they appeared in the Sunday issue of THE SUN under the caption "Marriage Free in Cuba." Not to do so would affect, by implication quite a number of people.

The new marriage law, as promulgated by Gen. Wood, settles, for the time being, a question which, to quote your correspondent, "during more than a year of the American occupation was a source of regret and annoyance to the Catholic Church of Cuba and to Protestant Churches of the United States which had representatives in the island." Civil and religious ceremonies are now put on the same basis, and we have ample cause for rejoicing, but he adds further on: "When Gen. Brooke became the Governor General of Cuba he found a marriage law which recognized as legal only religious ceremonies performed by the Catholic clergy." And here is where his mistake comes in, as a simple glance at the Spanish Civil Code will reveal (Articles LVI., LVII.). As a matter of record, civil marriage, entirely independent of any religious interference, has been a legal function in Cuba for many years—that is, since 1886. And what is more since the promulgation of the law in question, the religious ceremony was, if anything, subservient to the civil one, as the presence of the civil functionary was actually required during the religious performance. I refer to the Spanish régime, and the real gain by the present decree (apart from pecuniary reasons) concerns principally the Protestant denominations, which will now have the legal status denied them by the Spanish law in vigor previous to the American intervention. Although a spirit of tolerance pervaded the old law, the most rank intolerance was the predominant nature in all the clergy, being, on the other hand, too powerful and too arrogant to tolerate even the semblance of equal rights or fair play before the law of the land. And this spirit of blind intolerance and bigotry carried them to declare, openly and defiantly, that, *notwithstanding the civil law in force*, all marriage ceremonies performed before the civil functionary (as the law provided), and not through the instrumentality of the Catholic Church, were necessarily of an unchaste character and accordingly meretricious in nature. The local press made a gallant fight at the time to uphold the validity as well as the sacredness of the civil ceremony, which was, by the way, as indissoluble as the Catholic one, but, unfortunately, the official favoritism which was the birthright of every Spaniard landed in Cuba, and the ignorance and prejudice of the uneducated classes, equally combined to make the law rather ineffectual in its far-reaching scope. To this cause, probably, your correspondent's error is due. Still, the fact remains that not only was the civil marriage a part of the Spanish law in Cuba, but also that many thousands and thousands were united by a Magistrate, and not by a Catholic priest, as the local official records will show. And the reason is obvious. Apart from pecuniary motives—certainly not to be discounted with the poorer classes—a great number of Cubans did not wish to submit themselves to the exorbitant charges of the clergy nor to their ritual for the services which they could obtain at considerably less trouble and expense, and with equal, if not better, efficacy from the municipal Judges. With this class of people the protest and slanders of the Catholic Church had no effect whatever, though unquestionably it limited the number to a large extent.

The new law, it appears, does away with all the drawbacks of the old one, while it has the advantage of recognizing other creeds besides the Catholic. Moral as well as political considerations justify the change. It means one more step on the road to real progress in Cuba.

NEW YORK, Sept. 9. N. A. CARBO.

The Traitor and the Patriot.

TO THE EDITOR OF THE SUN—*Sir:* In reply to Col. Bryan, who in a so-called patriotic speech to the Germans of Wisconsin tried to scare them by saying that if they voted for McKinley their sons would have to serve in the army, I can assure Col. Bryan that when the services of the boys referred to are needed they will be in sympathy with their country and will rally around the flag and volunteer, one and all, to defend the Stars and Stripes. S. SCHOENBRUN.

138 LAWRENCE STREET Brooklyn, Sept. 14.

Fair Challenge to Bryan.

From the Chicago Times Herald.

In opening the Republican campaign in the Sixth Illinois district Congressman Boutell uttered the following pointed challenge:

"Is Mr. Bryan sincere in his apparent anxiety that no one should be governed without his consent? Let us put him to a simple test.

"I challenge William Jennings Bryan, between now and Nov. 6, to speak in the capital of each of the old slave States, urging the repeal of all constitutions and laws designed to disfranchise the colored population or restrict their suffrage, advising the white population to live up to the Declaration of Independence, respect the provisions of the Constitution, and submit themselves to the rule of the majority, without regard to race, color or previous condition of servitude.

"If Bryan declines this challenge then he is a sham idealist. He is an ideal sham."

In Memoriam, Sept. 15.

Good-by, my summer hat, good-by,
For fashion's stern behest
Without a wherefore or a why
Bids you to take a rest.
The sun may shine with blinding rays
But an unwritten code
Has placed a limit to your days—
We must dress à la mode.

Next year we'll welcome you again,
When sultry grow the days,
But, prithee, bring not in your train
That sorry shirt-waist craze.
So au revoir, your day is done,
You've been a welcome guest,
But, now the summer season's gone,
We like our derbys best.

LA TOUCHE HANCOCK.