The St. Paul Globe

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IN THE UPPER HOUSE

LITTLE BUSINESS TRANSACTED AT THE OPENING SESSION OF THE SENATE

SENATOR DILLINGHAM SWORN IN

SENATOR DOLLIVER, THOUGH PRESENT, DID NOT PRESENT HIS CREDENTIALS

TRIBUTE PAID TO THE DEAD

Chaplain Milburn Delivered a Touching Eulogy on the Late Senators Davis and Gear.

WASHINGTON, Dec. 3.—In the senate today the work of the short session of the fifty-sixth congress was successfully launched. It had been the purpose of the senate to announce the deaths of Senators Gear, of Iowa and Davis, of Minnesota, immediately after assembling and then to adjourn and then receive the message of the president tomorrow, but as this had been announced by leaders of both branches to be a "business session," it was determined to receive the message today and thus gain one day in a session when that much time may be of immense importance.

Aside from the reading of the message and the administration of the oath of office to W. B. Dillingham, the new senator from Vermont, who succeeds the late Justin S. Morrill, no business was transacted. The other new member of the body, former Representative John P. Dolliver, who succeeds the late Senator Gear, of Iowa, was present throughout the session, but his credentials were not presented and he was not sworn in. These formalities will be completed tomorrow, now that the senate has been informed officially of the death of Senator Gear.

When the senate convened it was within the shadow of death of two of its most distinguished members.

Since the senate last convened, a great national campaign has been inaugurated, and conducted to a conclusion, and as senators assembled they exchanged political greetings as well as the warm handclasps of personal friendship. A notable meeting on the floor just before the session opened was that between Mr. Hanna, of Ohio, and Mr. Jones, of Arkansas, the chairman, respectively, of the Republican and Democratic national campaign committees. Surrounded by many of their colleagues they exchanged cordial greetings and laughed and chatted for several minutes.

The air of the chamber was heavy with the perfume from magnificent floral pieces.

TRIBUTE TO THE DEAD.

The fall of Senator Frye's gavel caused a hush to fall over the chamber at 12 o'clock, and then Mr. Millburn, the venerable, blind chaplain, in a beautiful prayer, paid touching tributes to the deaths of Senators Davis and Gear.

The call of the roll disclosed the presence of sixty-one senators, and the senate then proceeded to routine business.

William B. Dillingham was sworn in to fill the unexpired term of the late Justin S. Morrill. A resolution by Mr. Hoar (Mass.), that a committee of senators be appointed to join a similar committee of the house to inform the president that congress was in session and ready to receive any communication he might have to make, was adopted.

The chair appointed Senators Hoar and Cockrell.

The senate, on motion of Mr. Hale, then took a recess of forty minutes, and on reassembling Mr. Hoar announced that the president had expressed his pleasure that congress once more was in session, and that he would communicate with it forthwith.

Instantly Maj. Pruden, one of the secretaries to the president, was recognized, and presented the awaited message of the president. It took Mr. Bennett, the secretary of the senate, one hour and fifty-four minutes to read it.

Mr. Allison then announced the death in July last of his colleague, Senator John Henry Gear, and offered the usual resolution of sorrow, which was adopted.

Mr. Nelson (Minn.), who had returned only two hours before from St. Paul, announced formally the death of Senator Davis, saying that in his death "the nation has lost one of its wisest public servants, and the state of Minnesota one of its most distinguished sons."

Then senate then, at 3:45 o'clock p. m., upon motion of Mr. Allison, as an additional mark of respect for the memories of Senator Gear and Senator Davis, adjourned.

SENATORIAL PROGRAMME.

The Republican senatorial committee on order of business this afternoon decided the ship subsidy bill should displace the Spooner Philippines bill as unfinished business. It also considered at the same time the disposition of the Hay-Pauncefote treaty and decided that the question would receive alternate attention with the shipping bill. The arrangement provides that the shipping bill shall have preference, but that when no one is prepared to make a speech on it the senate shall go into executive session for the consideration of the treaty.

In accordance with this understanding, Senator Frye at the first opportunity tomorrow will move to take up the bill, and if this motion prevails, as there is little doubt it will, the effect will be to displace the Spooner bill, which there is no disposition at this time to press. Senator Frye probably will make a speech. It is not expected that any other senator will be prepared to proceed on the subsidy measure, and in that event Senator Lodge, of the committee on foreign relations, who will have charge of the treaty, will move an executive session in order to consider the treaty.

The arrangement further provides that if the army bill reaches the senate prior to the disposal of the shipping bill or the treaty, either or both of these may be displaced temporarily in order to permit the prompt consideration of that measure, which is considered to be of more pressing importance than either of the other questions. The same understanding prevails regarding the appropriation bills.

Senator Morgan's Nicaraguan canal bill received some consideration at the hands of the committee on order of business. While no definite agreement was reached concerning it, the opinion was generally expressed that it should wait upon the senate's action for the treaty. The members of the committee apparently consider that the ratification of the treaty is a necessary preliminary to the passage of the canal bill, and the present disposition is to contend for that order of precedence.

The committee also discussed the possibility of Democratic opposition to the subsidy bill. Some of the members who had talked with Democratic senators expressed the opinion that there would be no effort to prevent this legislation by factious opposition, though they expect a number of speeches against it.

GOT BUSY RIGHT AWAY

HOUSE OF REPRESENTATIVES HAS ALREADY SETTLED DOWN TO WORK

READING OF ANNUAL MESSAGE

GREETED BY SCATTERING APPLAUSE FROM THE REPUBLICAN MEMBERS

FIRST BILL IS INTRODUCED

It Provides for a Reapportionment Increasing the House Membership to 365—Minnesota Gains Two.

WASHINGTON, Dec. 3.—The opening of the session in the house was brilliant, but not exciting. There were the usual throngs in the galleries, and the usual display of floral pieces on the floor, but the proceedings were purely formal, consisting of the rapping to order by the speaker, prayer by the chaplain, the roll call of members, the appointment of the formal committees to wait upon the president, and the reception and reading of the president's message. Despite the fact that a great presidential campaign had concluded within a month, the best of feeling seemed to prevail between victors and vanquished. The reading of the message, which naturally was the feature of the day, occupied over two hours. It was listened to with respectful interest by both sides. The deaths of the late Representatives Daly (N. J.) and Hoeffecker (Del.), and Senators Davis (Minn.) and Gear (Io.), were announced, and as a further mark of respect to their memories the house adjourned until tomorrow.

When Speaker Henderson called the house to order at noon the desks of half the members were freighted with flowers from admiring friends or constituents, and the profusion of the floral pieces gave the vast hall more the apearance of a garden than a legislative assembly.

The floral pieces were of infinite variety. Roses, carnations and chrysanthemums of every hue were made into every conceivable design. The greater proportion of the flowers was on the Republican side, and one could mark the geographical limits of the party in the recent campaign by the flowered area. They usually marked the seat of one who had won a personal triumph. In the galleries the wealth and beauty of the capital was present gowned in smart winter frocks.

A rap with a gavel from Speaker Henderson commanded the assemblage on the floor and gallery to remain quiet, and then the blind chaplain referred feelingly to the deaths of the late Representatives Daly, of New Jersey, and Hoeffecker, of Delaware, which occurred during the recess.

The speaker then directed the clerk to call the roll.

As soon as the clerk began the conversation on the floor and in the galleries was resumed. The conversation became so great that the clerk could not hear the responses, and the speaker was obliged several times to call for order.

The speaker announced that 275 members had responded to their names, a quorum, and the house was ready for business. The following then appeared at the bar and took the oath: Albert D. Shaw, who succeeds the late Representative Chickering, of New York; Allen F. McDermott, who succeeds the late Representative Daly, of New Jersey; Walter O. Hoeffecker, who succeeds the late Representative Hoeffecker, of Delaware; Edward de V. Morrell, who succeeds the late Representative Harmer, Pennsylvania; Wm. Richardson, who succeeds Gen. Joe Wheeler, of Alabama; W. H. Jackson, who succeeds Gov. Smith, of Maryland; Samuel D. Woods, who succeeds Representative D. Vries, of California.

Mr. Bailey, of Texas, questioned the form of the resignation of Representative Dolliver. He said he doubted the right of a member to resign at a future fixed date. He said he would not raise the point formally, but merely called the attention to it so that in the future it could not be used as a precedent.

Mr. Dolliver's resignation, he said, had been tendered to take effect Dec. 1, so that Mr. Conner had been elected to fill a vacancy which did not exist at the time of the election. He cited a decision to show that a resignation to take effect at a future date was not a resignation in fact, but simply a notification of a resignation to be made in the future. Mr. Bailey said he did not desire to press the matter, but desired the protest to be filed.

The speaker stated that inasmuch as objection had been made, Mr. Connor would step aside until the protest had been disposed of.

The speaker announced the appointment of Mr. Babcock, of Wisconsin, on the committee on ways and means, to succeed Mr. Dolliver.

Messrs. Payne (Rep., N. Y.); Grosvenor (Rep., O.) and Richardson (Dem., Tenn.), were appointed to join the committee of the senate to notify the president that congress was in session and ready to receive any communication from him.

The clerk was also directed by resolution to notify the senate that the house was ready to do business. After the adoption of these formal resolutions the house at 1 o'clock took a recess until 2 o'clock, when the president's message was listened to attentively.

The reading occupied two hours and ten minutes. There were no demonstrations during the reading, but as the clerk finished, there was a scattering round of applause on the Republican side.

The deaths of the late Representative Hoeffecker, of Delaware; the late Representative Daly, of New Jersey; the late Senator Geor, of Iowa and the late Senator Davis, of Minnesota were then announced and after the adoption of resolutions of regret, the house as a further mark of respect to the memory of the deceased statesmen, at 4:20 p. m. adjourned.

REAPPORTIONMENT BILL.

The first bill of the session introduced in the house of representatives was by Representative Crumpacker (Rep., Ind.), making an apportionment of representatives in congress under the eleventh census. It provides an increase of membership from 357 to 365. The following states gain in representation: Arkansas, 1; Colorado, 1; California, 1; Connecticut, 1; Florida, 1; Illinois, 2; Massachusetts, 1; Minnesota, 2; Missouri, 1; New Jersey, 2; New York, 3; North Dakota, 1; Pennsylvania, 2; Texas, 2; Washington, 1; West Virginia, 1. The following states lose; Kansas, 1; Louisana, 2; Mississippi, 3; Nebraska, 1; North Carolina, 4; South Carolina, 3; Virginia, 1.

"GOVERNMENT BY INJUNCTION."

Representative Littlefield, of Maine, from the judiciary committee of the house today presented a favorable report on what is known as the "con-

Continued on Eighth Page.

LAW IS KNOCKED OUT

ANDERSON'S RAILROAD TAXATION STATUTE IS DECIDED UNCONSTITUTIONAL

IN NATIONAL SUPREME COURT

STATE CAN'T COLLECT LAND TAX AND GROSS EARNINGS AS WELL

FORMER LAW IS A CONTRACT

Decision Was Unanimous, Though the Justices Did Not Agree as to Their Grounds Therefor.

WASHINGTON, Dec. 3.—The supreme court has knocked out the Anderson law on constitutional grounds. The case is remanded for a new trial in Stearns county.

The decision is a victory for the Northern Pacific, the St. Paul & Duluth and subsidiary lines, but does not include the Great Northern.

The court was unanimous.

The case came to this court on error to the supreme court of the state of Minnesota. It was brought up at the instance of certain railroad companies, and involved the question of whether real estate belonging to them not used in the operation of their roads is subject to taxation according to its value, or is excepted by virtue of a contract alleged to have been made several years ago through legislation by the state, providing that railroad companies should pay 3 per cent on their gross earnings in lieu of taxes on all property.

The taxes of the St. Paul & Duluth railway company were immediately involved in this case.

The case also included the question of the validity of the Minnesota law of 1895, repealing the former contract law and seeking to separate the lands of railroads from their other property for purposes of taxation, still retaining the 3 per cent tax on gross earnings.

ACT IS WORTHLESS.

The effect of today's opinion is to hold the law of 1895 invalid.

In passing upon the case the court held that the state had been admitted to the sisterhood of states under the usual compact, and that as long as the title of its lands remains in the United States those lands are exempt from taxation. So far as the land involved in this case is concerned, it was stated that it had been granted to the state by congress and by the state to the St. Paul & Duluth company. Soon afterwards, the justice continued, the state had enacted legislation providing that railroads in the state should pay 3 per cent on their gross earnings, in lieu of all other taxes upon their property.

The opinion by Justice Brewer sustained the view that the original legislation was in the nature of a contract, which was binding and which could not be invalidated by the act of 1895, seeking to repeal it. This latter act, therefore, was pronounced repugnant to the federal constitution and void in this respect.

Justices Harlan, Gray, Brown, White and McKenna concurred in the result, but did not agree with their colleagues as to the grounds on which the conclusion was reached. Justice Brewer read the decision.

OF GREAT IMPORTANCE.

C. W. Bunn, attorney for the Northern Pacific railway, was seen last night by a reporter of the Globe, and in reference to the above decision, said:

"It is a long story, and I cannot now go into the history of the case as fully as I would like to. It has been a most important case, one involving a very large sum of money, and the supreme court of the United States has sustained the position taken by the railroad companies interested, the Great Northern and the St. Paul & Duluth, on every point at issue.

"What is known as the Anderson law was first brought before the state legislature under the name of the Markham bill in 1893. It was defeated at that session, but two years later was re-introduced by August Anderson, of Chisago county, and was passed in the house. The senate also passed it by a majority of one vote and at the next election it was endorsed by the pople. The railway companies party to the action just decided, never paid the money due under the assessments provided for in the new law."

It so happened that the bill passed the senate by this scant majority after Senator Frank A. Day had succeeded to the presidency of the senate on the promotion of Lieut. Gov. Clough to succeed Senator Knute Nelson as governor.

When the next election rolled around and the contention was raised that Day had forfeited his seat in the senate by becoming lieutenant governor, although only one half of his four years' senatorial term had expired, it was insisted by many that this was the first step in an effort to break down the Anderson law by contesting the regularity of its passage, Day having been one of those who voted for it, and without whose vote is would have been lost on a tie.

The legislature unseated Day under the whip hand of the Rpublican state central committee, although his ostensible grievance was his leaning toward free silver rather than his attitude on this bill.

The courts, however, later declared his unseating unwarranted, and he was reimbursed for his expenses in defending his right to a seat in the senate during the session of 1897. That summer litigation was begun. Mr. Bunn says:

GREAT NORTHERN NOT IN IT.

"Fred Stearns, auditor of Aitkin county, left out two pieces of railroad land from the tax rolls, and the then attorney general, Childs, commenced mandamus proceedings to have the land placed back on the tax rolls. The matter came before Judge Holland at Brainerd, and he granted the write.

"The case was next taken to the supreme court of the state, where Judge Holland's decision was affirmed. Then proceedings in error were instituted in the supreme court at Washington, and, to make a long story short, that court has decided in favor of the railways, and by virtue of this last decision, the Anderson law is quashed, as being unconstitutional.

"The companies immediately interested in this decision are the Northern Pacific and the St. Paul & Duluth. Other roads are also interested, but they are not parties to the present suit."

"How much would we have had to pay if the decision had been the other way?"

"The lands formerly owned by the St. Paul & Duluth have also been sold, but in the event of an adverse decision, the state would have had probably $200,000 coming.

"I said before that the Great Northern was not concerned in this decision. This is true, but at the same time it has a better case than had we. Most of the land grant of the Northern Pacific was obtained under an act of 1865, while that of the Great Northern was granted under previous acts of territorials days, and the contract held by that company exempting its lands from special taxation is, I think, confessedly a good contract.

"There are other companies which will welcome today's decision, for all the money that has been paid by any of them is now known to have been paid under the provisions of a law that is unconstitutional.

"What the Washington court has done amounts to declaring that the Minnesota legislature had no power to pass such a law as the Anderson law. The conditions under which the grants were made originally are safeguarded by the constitution of the United States and cannot be violated by the legislature."

The case has been argued before the supreme court at Washington twice; once last spring, when a rehearing of the case was ordered, and on Oct. 15 last. Mr. Bunn and Mr. Hornblower, of New York, appeared for the railway companies, and Attorney General Douglas and ex-Attorney General Childs for the state.

FIENDISH MURDER IN A DALLAS, TEX., SALOON

DALLAS, Tex., Dec. 3.—Screams of agony brought policemen to a saloon in East Dallas early this morning. Seated in a chair, unable to move, was a man whose garments were a mass of flames. The officers say Eugene Faulkner and J. W. Chapman were standing behind the bar, smoking cigars and watching the unfortunate man, who was being roasted to death. "Bring some water here, quick!" shouted an officer. "Get it yourself," the policeman declared one of the men rertoted. "Let him die; what's the use of worrying over him?" One of the officers took off his coat and with it beat out the fire. The man was sent to the city hospital, where he died within a few hours. Soon after his arrival at the hospital the two men who were in the barroom were brought before him for identification. Then it was that the discovery was made that his eyes had been burned out. He was Pate Bain, for many years a constable at Garland, in this country. It is claimed by the officers that Bain was drugged, and as he reclined in a chair, unconscious, a quantity of turpentine was poured over him and a match applied. The man was literally roasted. When the heat and pain partially revived him, he called piteously for help, and when no one came, he screamed and attracted the officers. When news of the outrage became widespread, the greatest indignation was expressed. The two suspects were put in the city jail and guarded by deputies. Tonight a mob of fifteen or twenty men called at the jail and demanded the prisoners of the jailer. The jailor swore that they were not in his possession. They had been taken to Fort Worth early in the evening, he declared. "Well," said the leader of the mob, "if we catch them we'll burn them." Faulkner and Chapman refuse to talk, and no motive is known for the crime.

GERMAN EXPEDITION RETURNS TO PEKIN.

BERLIN, Oct. 3.—A dispatch from Field Marshal Count von Waldersee, commander-in-chief of the international forces in China, sent from Pekin under date of Saturday, Dec. 1, says that after hoisting the German flag at the Ming tombs, and punishing several neighboring villages for the murder of Christians, the late Col. Yoerck's detachment, commanded by Gen. Gayl, returned to Pekin in four columns by way of Yang Fang, Chen Pien Tcheng, Thang Shang and Niu Lan Shan, each about a day's march northward of Pekin. The Kalgan expedition, the dispatch also says, was very successful. Several thousand Chinese regiments under the command of two generals were driven in wild flight from the province of Chi Li to Shan Si. The remains of Col. Yoerck have arrived at Pekin.

BULLETIN OF IMPORTANT NEWS OF THE DAY

Weather Forecast for St. Paul: Fair; Westerly Winds.

1—President's Message to Congress.

2—After an Investment Company.
St. Paul's Corner in Eggs.
Injuries Were Fatal.
Minneapolis Matters.

3—Northwest News.
North Dakota's Murder Trial.
Oom Paul Turned Down.
In the Heart of Africa.
Sudden Death for Five.
Slain by the Chinese.

4—Editorial Page.

5—Sporting News.
McGovern to Meet Gans.
State Political Gossip.

6—President's Message Continued.

8—News of the Railroads.
Popular Wants.

9—Markets of the World.
Chicago Jan. Wheat, 70 3-8c.
Bar Silver, 64 3-8c.
Stocks Irregular.

10—In Local Labor Field.
News of the Courts.
Under Grade Is Wanted.

MESSAGE TO CONGRESS OF THE PRESIDENT OF THE UNITED STATES

The Chinese Embroglio Occupies the Place of Honor in McKinley's Annual Communication—Necessary Legislation for the Government of the Philippines Is Next.

WASHINGTON, Dec. 3.—President McKinley's annual message to the congress of the United States, delivered today by Secretary Pruden after the assembling of the two bodies, is as follows:

To the Senate and House of Representatives—At the outgoing of the old and the incoming of the new century you begin the last session of the fifty-sixth congress with evidences on every hand of individual and national prosperity and with proof of the growing strength and increasing power for good of Republican institutions. Your countrymen will join with you in felicitation that American liberty is more firmly established than ever before, and that love for it and the determination to preserve it are more universal than at any former period of our history.

The republic was never so strong, because never so strongly intrenched in the hearts of the people as now. The constitution, with few amendments, exists as it left the hands of its authors. The additions which have been made to it proclaim larger freedom and more extended citizenship. Popular government has demonstrated in its 124 years of trial here its stability and security, and its efficiency as the best instrument of national development and best safeguard to human rights.

When the sixth congress assembled in November, 1800, the population of the United States was 5,308,483. It is 76,304,799. Then we had sixteen states. Now we have forty-five. Then our territory consisted of 909,050 square miles. It is now 3,846,595 square miles. Education, religion and morality have kept pace with our advancement in other directions, and while extending its power the government has adhered to its foundation principles and abated none of them in dealing with our new peoples and possessions. A nation so preserved and blessed gives reverent thanks to God and invokes his guidance and the continuance of his care and favor.

CHINESE PROBLEM.

Causes of the Uprrsing and the Diplomatic Status.

In our foreign intercourse the dominant question has been the treatment of the Chinese problem. Apart from this our relations with the powers have been happy.

The recent troubles in China spring from the antiforeign agitation which for the past three years has gained strength in the northern provinces. Their origin lies deep in the character of the Chinese races and in the traditions of their government. The Taiping rebellion and the opening of Chinese ports to foreign trade and settlement disturbed alike the homogeneity and the seclusion of China.

Meanwhile foreign activity made itself felt in all quarters, not alone on the coast, but along the great river arteries and in the remoter districts, carrying new ideas and introducing new associations among a primitive people which had pursued for centuries a national policy of isolation.

The telegraph and the railway spreading over their land, the steamers plying on their waterways, the merchant and the missionary penetrating year by year farther to the interior, became to the Chinese mind types of an alien invasion, changing the course of their national life and fraught with vague forebodings of disaster to their beliefs and their self-control.

For several years before the present troubles all the resources of foreign diplomacy, backed by moral dominations and physical force of fleets and arms, have been needed to secure due respect for the treaty rights of foreigners and to obtain satisfaction from the responsible authorities for the sporadic outrages upon the persons and property of unoffending sojourners, which from time to time occurred at widely separated points in the northern provinces, as in the case of the outbreaks in Szechuen and Shantung.

Posting of antiforeign placards became a daily occurrence, which the repeated reprobation of the imperial power failed to check or punish. These inflammatory appeals to the ignorance and superstition of the masses, mendacious and absurd in their accusations and deeply hostile in their spirit, could not but work cumulative harm. They aimed at no particular class of foreigners; they were impartial in attacking everything foreign.

An outbreak in Shantung, in which German missionaries were slain, was the too natural result of these malevolent teachings. The posting of seditious placards, exhorting to the utter destruction of foreigners and of every foreign thing, continued unrebuked. Hostile demonstrations toward the stranger gained strength by organization.

SUPPORTED BY OFFICIALS.

The sect commonly styled the Boxers developed greatly in the provinces north of the Yangste, and with the collusion of many notable officials, including some in the immediate councils of the throne itself, became alarmingly aggressive. No foreigner's life, outside of the protected treaty ports, was safe. No foreign interest was secure from spoliation.

The diplomatic representatives of the powers in Pekin strove in vain to check this movement. Protest was followed by demand, and demand by renewed protest, to be met with perfunctory edicts from the palace and evasive and futile assurances from the tsung li yamen. The circle of the Boxer influence narrowed about Pekin, and while nominally stigmatized as seditious, it was felt that its spirit pervaded the capital itself, that the imperial forces were imbued with its doctrines and that the immediate counselors of the empress dowager were in full sympathy with the anti-foreign movement.

UNITED STATES POLICY.

The increasing gravity of the conditions in China and the imminence of peril to our own diversified interests in the empire, as well as to those of all the other treaty governments, were soon appreciated by this government, causing it profound solicitude. The United States, from the earliest days of foreign intercourse with China, had followed a policy of peace, omitting no occasions to testify good will, to further the extension of lawful trade, to respect the sovereignty of its government, and to insure by all legitimate and kindly but earnest means the fullest measure of protection for the lives and property of our law-abiding citizens and for the exercise of their beneficent callings among the Chinese people.

Mindful of this, it was felt to be appropriate that our purposes should be pronounced in favor of such course as would hasten united action of the powers in Pekin to promote the administrative reforms so greatly needed for strengthening the imperial government and maintaining the integrity of China, in which we believe the whole Western world to be alike concerned. To these ends I caused to be addressed to the several powers occupying territory and maintaining spheres of influence in China the circular proposals of 1899, inviting from them declarations of their intentions and views as to the desirability of the adoption of measures insuring the benefits of equality of treatment of all foreign trade throughout China.

POWERS AGREE.

With gratifying unanimity the responses coincided in this common policy, enabling me to see in the successful termination of these friendly negotiations, proof of the friendly spirit which animated the various powers interested in the untrammeled development of commerce and industry in the Chinese empire, as a source of vast benefit to the whole commercial world.

In this conclusion, which I had the gratification to announce as a completed engagement to the interested powers on March 20, 1900, I hopefully discerned a potential factor for the abatement of the distrust of foreign purposes which for a year past had appeared to inspire the policy of the imperial government, and for the effective exertion by it of power and authority to quell the critical anti-foreign movement in the northern provinces most immediately influenced by the Manchu sentiment.

Seeking to testify confidence in the willingness and ability of the imperial administration to redress the wrongs and prevent the evils we suffered and feared, the marine guard, which had been sent to Pekin in the autumn of 1899 for the protection of the legation, was withdrawn at the earliest practicable moment, and all pending questions were remitted, as far as we were concerned, to the ordinary resorts of diplomatic intercourse.

The Chinese government proved, however, unable to check the rising strength of the Boxers, and appeared to be a prey to internal dissensions. In the unequal contest the anti-foreign influence soon gained the ascendancy under the leadership of Prince Tuan. Organized armies of Boxers, with which the imperial forces affiliated, held the country between Pekin and the coast, penetrated into Manchuria, up to the Russian border, and through their emissaries threatened a like uprising throughout northern China.

FLEET ASSEMBLED.

Attacks upon foreigners, destruction of their property and slaughter of native converts were reported from all sides. The tsung-li-yamen, already permeated with hostile sympathies, could make no effective response to the appeals of the legations. At this critical juncture, in the early spring of the year, a proposal was made by the other powers that a combined fleet should be assembled in Chinese waters as a moral demonstration, under cover of which to exact of the Chinese government respect for foreign treaty rights and the suppression of the Boxers.

The United States, while not participating in the joint demonstration, sent from the Philippines all the ships that could be spared for service on the Chinese coast. A small force of marines was landed at Taku and sent to Pekin for the protection of the American legation. Other powers took similar action, until some 400 men were assembled in the capital as legation guards.

Still the peril increased. The legations reported the development of the seditious movement in Pekin, and the need of increased provision for defense against it. While preparations were in progress for a large expedition to strengthen the legation guards and keep the railway open, an attempt of the foreign ships to make a landing at Taku was met by a fire from the Chinese forts. The forts were thereupon shelled by the foreign vessels, the American admiral taking no part in the attack on the ground that we were not at war with China, and that a hostile demonstration might consolidate the anti-foreign elements and strengthen the Boxers to oppose the relieving column.

Two days later the Taku forts were captured after a sanguinary conflict. Severance of communication with Pekin followed, and a combined force of additional guards, which was advancing to Pekin by the Pei-ho was checked by Lang-fang. The isolation of the legations was complete.

SIEGE OF THE LEGATIONS.

The siege and the relief of the legations has passed into undying history. In all the stirring chapter which records the heroism of the devoted band, clinging to hope in the face of despair, and the undaunted spirit that led their relievers through battle and suffering to the goal, it is a memory of which my countrymen may be justly proud, that the honor of our flag was maintained alike in the siege and the rescue, and that stout American hearts have again set high, in fervent emulation with true men of other race and language, the indomitable courage that ever strives for the course of right and justice.

By June 19 the legations were cut off. An identical note from the yamen ordered each minister to leave Pekin, under a promised escort, within twenty-four hours. To gain time they replied asking prolongation of the time, which was afterwards granted, and requesting an interview with the tsung-li-yamen on the following day. No reply being received, on the morning of the 20th, the German minister, Baron von Ketteler, set out for the yamen to obtain a response, and on the way was murdered.

An attempt by the legation guard to recover his body was foiled by the Chinese. Armed forces turned out against the legations. Their quarters were surrounded and attacked. The mission compounds were abandoned, their inmates taking refuge in the British legation, where all the other legations and guards gathered for more effective defense. Four hundred persons were crowded in its narrow compass. Two thousand native converts were assembled in a near-by palace under protection of the foreigners. The lines of defense were strengthened, trenches dug, barricades raised and preparations made to stand a siege, which at once began.

SHOT AND FIRE.

"From June 20 until July 17," writes Minister Conger, "there was scarcely an hour during which there was not firing upon some part of our lines and into some of the legations, varying from a single shot to a general and continuous attack along the whole line." Artillery was placed around the legations and on the overlooking palace, and thousands of three-inch shells were fired, destroying some buildings and damaging all. So thickly did the balls rain, that when the ammunition of the besieged ran low, five quarts of Chinese bullets were gathered in an hour in one compound and recast.

Attempts were made to burn the legations by setting neighboring houses on fire, but the flames were successfully fought off, although the Austrian, Belgian, Italian and Dutch legations were then and subsequently burned. With the aid of the native converts, directed by the missionaries, to whose helpful co-operation Mr. Conger awards unstinted praise, the British legation was made a veritable fortress. The British minister, Sir Claude McDonald, was chosen general commander of the defense, with the secretary of the American legation, E. G. Squires, as chief of staff.

To save life and ammunition the besieged sparingly returned the incessant fire of the Chinese soldiery, fighting only to repel attack or make an occasional successful sortie for strategic advantage, such as that of fifty-five American, British and Russian marines, led by Capt. Myers, of the United States marine corps, which resulted in the capture of a formidable barricade on the wall that gravely menaced the American position. It was held to the last and proved an invaluable acquisition, because commanding the water gate through which the relief column entered.

During the siege the defenders lost 65 killed, 135 wounded and 7 by disease, the last all children.

On July 14 the besieged had their first communication with the tsung-li-yamen, from whom a message came inviting to a conference, which was declined. Correspondence, however, ensued, and a sort of armistice was agreed upon, which stopped the bombardment and lessened the rifle fire for a time. Even then no protection whatever was afforded, nor any aid given, save to send to the legations a small supply of fruit and three sacks of flour.

GOVERNMENT RESPONSIBLE.

Indeed, the only communication had with the Chinese government related to the occasional delivery or dispatch of a telegram or to the demands of the tsung-li-yamen for the withdrawal of the legation to the coast under escort. Not only are the protestations of the Chinese government that it protected and succored the legations positively contradicted, but irresistible proof accumulates that the attacks upon them were made by imperial troops, regularly uniformed, armed and officered, belonging to the command of Jung Lu, the imperial commander-in-chief. Decrees encouraging the Boxers, organizing them under prominent imperial officers, provisioning them, and even granting them large sums in the name of the empress dowager are known to exist. Members of the yamen who counseled protection of the foreigners were beheaded. Even in the distant provinces men suspected of foreign sympathy were put to death, prominent among them being Chang Yen-Hoon, formerly Chinese minister in Washington.

With the negotiation of the partial armistice of July 14, a proceeding which was doubtless promoted by the representations of the Chinese envoy in Washington, the way was opened for the conveyance to Mr. Conger of a test message sent by the secretary of state through the kind offices of Minister Wu Ting Fang. Mr. Conger's reply, dispatched from Pekin on July 18, through the same channel, afforded to the outside world the first tidings that the inmates of the legations were still alive and hoping for succor.

RELIEF COLUMN.

This news stimulated the preparations for a joint relief expedition in numbers sufficient to overcome the resistance which, for a month, had been organizing between Taku and the capital. Reinforcements sent by all the co-operating governments were constantly arriving. The United States contingent, hastily assembled from the Philippines or dispatched from this country, amounted to some 5,000 men, under the able command, first of the lamented Col. Liscum and afterwards Gen. Chaffee.

Toward the end of July the movement began. A severe conflict followed at Tien Tsin, in which Col. Liscum was killed. The city was stormed and nearly destroyed. Its capture afforded the base of operations from which to make the final advance, which began in the first days of August, the expedition being made up of Japanese, Russian, British and American troops at the outset.

Another battle was fought and won at Yangtsun. Thereafter the disheartened Chinese troops offered little show of resistance. A few days latter the important position of Ho-si-woo was taken. A rapid march l he united forces to the populous city of Tung-chow, which capitulated without a contest.

PEKIN ENTERED.

On August 14 the capital was reached. After a brief conflict beneath the walls the relief column entered and the legations were saved. The United States soldiers, sailors and marines, officers and men alike, those distant climes and unusual surroundings, showed the same valor, discipline and good conduct and gave proof of the same high degree of intelligence and efficiency which have distinguished them in every emergency.

The imperial family and the government had fled a few days before. The city was without visible control. The remaining imperial soldiery had made on the night of the 13th a last attempt to exterminate the seiged, which was gallantly repelled. It fell to the occupying forces to restore order and organize a provisional administration.

Happily the acute disturbances were confined to the Northern provinces. It is a relief to recall and a pleasure to record the loyal conduct of the viceroys and local authorities of the Southern and Eastern provinces. Their efforts were continuously directed to the pacific control of the vast populations under their rule and to the scrupulous observance of foreign treaty rights. At critical moments they did not hesitate to memorialize the throne, urging the protection of the legations, the restoration of communication and the assertion of the imperial authority against the subversive elements. They maintained excellent relations with the official representatives of foreign powers. To their kindly disposition is largely due the success of the consuls' removing many of the missionaries from the interior to places of safety. In this relation the action of the consuls should be highly commended. In Shangtung and Eastern Chili the task was difficult, but, thanks to their energy and the co-operation of American and foreign naval commanders, hundreds of foreigners, including those of other nationalities than ours, were rescued from imminent peril.

NOTE TO THE FOWERS.

The policy of the United States through all the trying period was clearly announced and scrupulously carried out. A circular note to the powers, dated July 3, proclaimed our attitude. Treating the condition in the North as one of virtual anarchy, in which the great provinces of the South and Southeast had no share, we regarded the local authorities in the latter quarters as representing the Chinese people with whom we sought to remain in peace and friendship. Our declared aims involved no war against the Chinese nation. We adhered to the legitimate office of rescuing the imperiled legation, obtaining redress for wrongs already suffered, securing wherever possible the safety of American life and property in China, and preventing a spread of the disorders or their recurrence.

As was then said, "the policy of the government of the United States is to seek a solution which may bring about harmony and peace in China, preserve Chinese territorial and administrative entity, protect all rights guaranteed to friendly powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese empire."

Faithful to those professions, which, as it proved, reflected the views and purposes of the other co-operating govern-

Continued on Sixth Page.