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TERMS OF CAPITULATION

Official Report Received From General Merritt at Manila

SOME DOUBT AS TO MEANING OF LANGUAGE

HONG KONG, Aug. 20.—Adjutant General, Washington: The following are the terms of the capitulation from the undersigned:

"The undersigned having been appointed a commission to determine the details of the capitulation of the city and defenses of Manila, and its suburbs, and the Spanish forces stationed there, in accordance with agreement entered into the previous day by Major-General Wesley Merritt, United States Army, American commander-in-chief in the Philippines, and his excellency, Don Fermin Jardines, acting general-in-chief of the Spanish army in the Philippines, have agreed upon the following:

"First—The Spanish troops, European and native, capitulate with the city and defenses, with all honors of war, depositing their arms in the places designated by the authorities of the United States and remaining in the quarters designated and under the orders of their officers, and subject to control of the aforesaid United States authorities until the conclusion of the treaty of peace between the two belligerent nations. All persons included in the capitulation remain at liberty; the officers remaining in their respective homes, which shall be respected as long as they observe the regulations prescribed for their government and the laws in force.

"Second—Officers shall retain their side arms, horses and private property. All public horses and public property of all kinds shall be turned over to the staff officers designated by the United States.—Complete returns in duplicate of men by organizations and full lists of public property and stores shall be rendered to the United States within 10 days from this date.

"Third—All questions relating to the repatriation of officers and men of the Spanish army and of their families and of the expenses the said repatriation may occasion, shall be referred to the government of the United States at Washington. Spanish families may leave Manila at any time convenient to them. The return of the arms surrendered by the Spanish forces shall take place when they evacuate the city, or when the American army evacuates.

"Fourth—Officers and men included in the capitulation shall be supplied by the United States according to their rank with rations and necessary aid as though they were prisoners of war, until the conclusion of a treaty of peace between the United States and Spain. All the funds in the Spanish treasury and all other public funds shall be turned over to the authorities of the United States.

"Fifth—This city, its inhabitants, its churches and religious worship places, its educational establishments and its private property of all descriptions are placed under the safeguard of the faith and honor of the American army.

(Signed.)
"V. F. W. Greene, brigadier-general of volunteers, U. S. A.; B. L. Lamberton, captain, U. S. N.; Charles A. Whittier, lieutenant-colonel and inspector-general; E. H. Crowder, lieutenant-colonel and judge-advocate; Nicholas de la Pena, auditor-general; Carlos Reyes, colonel de ingenieros; Jose Maria Olinquen, felia d estrado, major.
MERRITT."

SENTIMENTS OF THE SPANISH ARMY.

The following explanatory note was cabled the war department on the 21st inst:
"Soldiers of the American Army: We would not be fulfilling our duty as well born men in whose breast there lives gratitude and courtesy, should we embark for our beloved Spain without sending to you our most cordial and sincere good wishes and farewell. We fought you with ardor, with all our strength, endeavoring to gain the victory, but without the slightest rancor or hate towards the American nation. We have been vanquished by you (so our generals and chiefs judged in signing the capitulation), but our surrender and the bloody battles preceding it have left in our souls no place for resentment against the men who fought us nobly and gallantly. You fought in compliance with the same call of duty as we, for we all but represent the power of our respective states.

"You fought us as men, face to face, and with great courage, as before stated, a quality which we have not met during the three years we have carried on this war against a people without morals, without conscience and of doubtful origin, who could not confront the enemy, but hidden, shot their noble victims from ambush, and then immediately fled. This was the kind of warfare we had to sustain in this unfortunate land. You have complied exactly with all the laws and usages of war as recognized by the armies of the most civilized nations of the world; have given honorable burial to the dead of the vanquished; have cured their wounded with humanity have respected and cared for your prisoners and their comfort, and, lastly, to us, whose condition was terrible, you have given freely of food, of your stock of medicines, and you have honored us with distinguished courtesy, for, after the fighting the two armies mingled with the utmost harmony.

"With this high sentiment of appreciation from us, all there remains but to express our farewell, and with the greatest sincerity, we wish you all happiness and health in this land which will no longer belong to our dear Spain, but will be yours, who have captured it by force and watered it with your blood, as your conscience called for, under the demand of civilization and humanity, but the descendants of Congo and Guinea, mingled with the blood of unscrupulous Spaniards and of traitors and adventurers, these people are not able to exercise or enjoy their liberty, for they will find it a burden to comply with the laws which govern civilized communities.

"From 11,000 Spanish soldiers. **PEDRO LOPEZ DE CASTILLO.**
"Soldier of Infantry,
SHAFTER, Major-General.
"Santiago de Cuba, August 21, 1898."