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THE MESSAGE ON CUBA

A Practical Declaration of War With Spain.

President McKinley Monday sent the following message to the congress of the United States:

Obedient to that precept of the constitution which commands the president to give from time to time the congress information of the state of the Union and to recommend to its consideration such measures as he shall judge necessary and expedient, it becomes my duty now to address your body with regard to the grave condition that has arisen in the relations of the United States and Spain, by reason of the warfare that for more than three years has raged in the neighboring island of Cuba. I do so because of the intimate connection of the Cuban question with the state of our Union, and because of the grave relations which the course which is incumbent upon the nation to adopt must needs bear to the traditional policy of our government, if it is to accord with the precepts laid down by the founders of the republic and religiously observed by succeeding administrations to the present day.

The Cuban Revolution.

The present revolution is but the successor of other similar insurrections which have occurred in Cuba against the dominion of Spain, extending over a period of nearly half a century, each of which, during its progress, has subjected the United States to great effort and expense in enforcing its neutrality laws, caused enormous loss to American trade and commerce, caused irritation, annoyance and disturbance among our citizens, and by the exercise of cruel, barbarous and uncivilized practices of warfare, shocked the sensibilities and offended the humane sympathies of our people.

Since the present revolution began, in February, 1895, this country has seen the fertile domain at our threshold ravaged by fire and sword in the course of a struggle unequalled in the history of the island, and rarely paralleled as to the number of the combatants and the bitterness of the contest by any revolution of modern times, where a dependent people striving to be free have been opposed by the power of the sovereign state. Our people have beheld a once prosperous community reduced to comparative want, its commerce virtually paralyzed, its exceptional productiveness diminished, its fields laid waste, its mills in ruins and its people perishing by tens of thousands from hunger and destitution.

Damage to American Interests.

We have felt ourselves constrained, in the observance of that strict neutrality which our laws enjoin and which the laws of nations command, to police our own waters and watch our own seaports in prevention of any unlawful act in aid of Cuba. Our trade has suffered; the capital invested by our citizens in Cuba has been largely lost, and the temper and forbearance of our people have been sorely tried as to beget a perilous unrest among our own citizens, which has inevitably followed its expression from time to time in the national legislature so that issues wholly external to our body politic engross attention and stand in the way of more close devotion to domestic advancement that becomes a self-contented commonwealth, whose primal maxim has been the avoidance of all foreign entanglements. All this must needs awaken and has indeed aroused the utmost concern on the part of this government as well during my predecessor's as during my own administration.

A Previous Effort to Restore Peace.

In April, 1896, the evils from which our country suffered through the Cuban war became so enormous that my predecessor made an effort to bring about peace through the mediation of the government in any way that might tend to an honorable adjustment of the contest between Spain and her revolting colony on the basis of some effective scheme of self-government for Cuba, under the flag and sovereignty of Spain. It failed, through the refusal of the Spanish government then in power to consider any form of mediation or indeed any plan of settlement which did not begin with the actual submission of the insurgents to the mother country and then only on such terms as Spain herself might see fit to grant.

Weyler's Inhuman Policy.

The war continued unabated. The resistance of insurgents was in no wise diminished. The efforts of Spain were increased, both by the dispatch of fresh levies to Cuba and by additions to the horrors of the strife. The new and inhuman phase, happily unprecedented in the modern history of civilized Christian people, the policy of devastation and concentration, inaugurated by the captain-general's ban of October 21, 1896, in the province of Pinar del Rio, was thence extended to embrace all of the island to which the power of the Spaniards was able to reach by occupation or by military operations. The peasantry, including all dwelling in the open agricultural interior, were driven into the garrisoned towns or isolated places held by the Span-

ish troops. The raising of provisions of all kinds was interdicted. Fields were laid waste, dwellings unroofed and fired, mills destroyed, and, in short, everything that could desolate the land and render it unfit for human habitation or support was commanded by one or the other contending parties and executed by all the powers at their disposal.

By the time the present administration took office a year ago, reconcentration—so called—had been effective over the better part of four central and western provinces, Santa Clara, Matanzas, Havana and Pinar del Rio. The agricultural population, to the estimated number of 300,000 or more, was herded within the towns and their immediate vicinity, deprived of all means of support, rendered destitute of shelter, left poorly clad and exposed to the most unsatisfactory conditions.

Sufferings of Reconcentrados.

As the scarcity of food increased with the devastation of the depopulated areas of production, destitution and want became misery and starvation. Month by month the death rate increased in alarming ratio, and by March, 1898, according to conservative estimates from official Spanish sources, the mortality among the reconcentrados from starvation and the diseases thereto incident exceeded 50 per centum of the total number. No practical relief was accorded to the destitute. The overburdened towns, already suffering from the general dearth, could give no aid. So-called zones of cultivation, established within the immediate area of effective military control, about the cities and fortified camps, proved illusory as a remedy for the suffering. The unfortunates, being for the most part women and children, with aged and helpless men, enfeebled by disease and hunger, could not have tilled the soil without tools, seeds or shelter, for their own support or for the supply of the cities.

Reconcentration adopted avowedly as a war measure, to cut off the resources of the insurgents, worked its predestined result. As I said in my message of last December, it was not civilized warfare; it was extermination, and the only peace it could beget was that of the wilderness and the grave.

Progress of the War.

Meanwhile the military situation in the island has undergone a noticeable change. The extraordinary activity that characterized the second year of the war, when the insurgents invaded even the hitherto unharmed fields of Pinar del Rio and carried havoc and destitution up to the walls of the city of Havana itself, had relapsed into a dogged struggle in the central and eastern provinces. The Spanish army regained a measure of control in Pinar del Rio and parts of Havana, but under the existing conditions of the rural country, without immediate improvement of their productive situation. Even this partially restricted, the revolutionists held their own, and their submission, put forward by Spain as the essential and sole basis of peace, seemed as far distant as at the outset. In this state of affairs my administration found itself confronted with the grave problem of its duty. My message of last December reviewed the situation and detailed the steps taken with a view of relieving the acuteness and opening the way to some form of honorable settlement.

Spain's Vain Promises.

The assassination of the prime minister, Canovas, led to a change of government in Spain. The former administration, which pledged subjugation without concession, gave place to that of a more liberal party, committed long in advance to a policy of reform involving the wider principle of home rule for Cuba and Porto Rico.

The overtures of this government made through its new envoy, General Woodford, and looking to an immediate effective amelioration of the condition of the island, although not accepted to the extent of admitted mediation in any shape, were met by assurances that home rule in an advanced phase should be forthwith offered to Cuba, without waiting for the war to end, and that more humane methods should thenceforth prevail in the conduct of hostilities.

Incidentally with these declarations the new government of Spain continued and completed the policy already begun by its predecessor of testifying friendly regard for this nation by releasing American citizens held under one charge or another connected with the insurrection, so that, by the end of November, not a single person entitled in any way to our national protection remained in a Spanish prison.

The Relief Movement.

While these negotiations were in progress the increasing destitution of the unfortunate reconcentrados and the alarming mortality among them claimed earnest attention. The success which had attended the limited measure of relief extended to the suffering American citizens among them by the judicious expenditure, through the consular agencies, of the money appropriated expressly for that purpose by the joint resolution approved May 24, 1897, prompted the humane extension of a similar scheme to that great body of sufferers. A suggestion to this end was acquiesced in by the Spanish authorities. On the 24th of December I caused to be issued an appeal to the American people, inviting contributions in money or in kind for the succor of the starving sufferers in Cuba.

Following this, on the 8th of January, was a similar public announcement of the formation of a central Cuban relief committee, which had headquarters in New York city, composed of members representing the national Red Cross and the religious and business elements of the community. The efforts of that committee have been untiring and have accomplished much. Arrangements for free transportation to Cuba have greatly aided the charitable work.

The president of the American Red Cross and representatives of other contributory organizations have generally visited Cuba and co-operated with the consular-general and the local authorities to make effective distribution of the relief collected through the efforts of the central committee. Nearly \$200,000 in money and supplies has reached the sufferers, and more is forthcoming. The supplies are admitted duty free, and transportation to the interior has been arranged so that the relief at first necessarily confined to Havana and the larger cities is now extended through most, if not all, of the towns where suffering exists. Thousands of lives have already been saved.

The necessity for a change in the condition of the reconcentrados is recognized by the Spanish government. Within a few days past the orders of General Weyler have been revoked, the reconcentrados are, it is said, to be permitted to return to their homes, and aided to resume

the self-supporting pursuits of peace; public works have been started to give them employment, and a sum of \$600,000 has been appropriated for their relief.

Spain's Cause Hopeless.

The war in Cuba is of such a nature that, short of subjugation or extermination, a final military victory for the other side seems impracticable. The alternative lies in the physical exhaustion of the one or the other party, or perhaps both, a condition which in effect ended the 10 years' war by the truce of Zan Jon. The prospect of such a protraction and conclusion of the present strife is a contingency hardly to be contemplated with equanimity by the civilized world, and least of all by the United States, affected and objected as we are deeply and intimately by its very existence.

An Offer of Mediation.

Realizing this, it appeared to be my duty, in a spirit of true friendliness, no less to Spain than to the Cubans, who have so much to lose by the prolongation of the struggle, to seek to bring about an immediate termination of the war. To this end I submitted, on the 27th ultimo, as a result of much representation and correspondence through the United States minister at Madrid, propositions to the Spanish government looking to an armistice until October 1, for the negotiation of peace with the good offices of the president.

In addition, I asked the immediate revocation of the order of reconcentration, so as to permit the people to return to their farms and the needy to be relieved with provisions and supplies by the United States, co-operating with the Spanish authorities so as to afford full relief. The reply of the Spanish cabinet was received on the night of the 31st ultimo. It offers as the means to bring about peace in Cuba to confide the preparation thereof to the insular department, inasmuch as the concurrence of that body would be necessary to establish a final result, it being however understood that the powers reserved by the constitution to the central government are not lessened or diminished. As the Cuban parliament does not meet until the 4th of May next, the Spanish government would not object, for its part, to accept at once a suspension of hostilities if asked for by the insurgents through the general-in-chief, to whom it would pertain in such cases to determine the duration and conditions of the armistice.

The propositions submitted by General Woodford and the reply of the Spanish government were both in the form of brief memoranda, the texts of which are before mentioned and substantially in the language above given. The function of the Cuban parliament in the matter of "preparing" peace and the manner of doing so are not explained in the Spanish memorandum, but from General Woodford's explanatory reports of preliminary discussion preceding the final conference it is understood that the Spanish government stands ready to give the insular congress full power to settle the terms of peace with the insurgents, whether by direct negotiation or indirectly by means of legislation does not appear. With this last overture in the direction of immediate peace and its disappointing reception by Spain, the executive was brought to the end of his efforts.

Recognition Not Warranted.

In my annual message of December last I said:

"Of the untied measures there remain—Recognition of the insurgents as belligerents, recognition of the independence of Cuba and intervention to end the war by imposing a rational compromise between the contestants, or intervention in favor of one or the other party. I speak not of forcible annexation, for that cannot be thought of. That, by our code of morality, would be criminal aggression."

Thereupon I reviewed these alternatives in the light of President Grant's message in the words uttered in 1875, when after several years of sanguinary, destructive and cruel barbarities in Cuba, he reached the conclusion that the recognition of the independence of Cuba was impracticable and indefensible, and that the recognition of belligerence was not warranted by the facts according to the texts of public law. I commented especially upon that phase of the question, pointing out the inconveniences and positive dangers of recognition of belligerence, which, while adding to the already onerous burdens of neutrality without our own jurisdiction, could not in any way extend our influence or effective offices in the territory of hostilities.

Nothing has since occurred to change my view in this regard, and I recognize as fully now as then that the issuance of a proclamation of neutrality, by which process the so-called recognition of belligerency is published, could, of itself and unattended by other action, accomplish nothing toward the one end for which we labor, the instant pacification of Cuba, and the cessation of the misery that afflicts the island.

A Precedent Cited.

Turning to the question of recognizing at this time the independence of the present insurgent government in Cuba, we find safe precedents in our history from an early day. They are well summed up in President Jackson's message to congress December 21, 1836, on the subject of the recognition of the independence of Texas. He said:

"In all the contests that have arisen out of the revolutions of France, out of the disputes relating to Portugal and Spain, out of the separation of the American possessions of both from the European governments, and out of the numerous and constantly recurring struggles for dominion in Spanish-American countries, so wisely consistent with just principles has been the action of our government that we have under the most critical circumstances avoided all censure and encountered no other evil than that produced by a transient estrangement of good will in those against whom we have been, by force of evidence, compelled to decide."

"It has thus been made known to the world that the uniform policy and practice of the United States is to avoid all interference in disputes which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party without reference to our particular interests and views or to the merits of the original controversy. But in this, as in every other occasion, safety is to be found in a rigid adherence to these principles. In the contest between Spain and the revolting colonies we stood aloof and waited not only until the ability of the new states to protect themselves was fully established, but until the chance of their being again subjugated had entirely passed away. Then, and not until then, were they recognized. Such was our course in regard to Mexico herself. It is true that with regard to Texas the civil authorities of Mexico had been expelled, its invad-

army defeated, the chief of the republic himself captured, and all present power to control the newly organized government of Texas annihilated within its confines. But, on the other hand, there is, in appearance at least, an immense disparity of physical force on the side of Texas. The Mexican republic again is rallying its forces under a new leader and menacing a fresh invasion to recover its lost domain."

"Upon the issue of this threatened invasion, the independence of Texas may be considered as suspended, and were there nothing peculiar in the relations between the United States and Texas, our acknowledgment of its independence at such a crisis could scarcely be regarded as consistent with the prudent reserve with which we have hitherto held ourselves bound to treat all similar questions."

Thereupon Andrew Jackson proceeded to consider the risk—that there might be imputed to the United States motives of selfish interests in view of the former claim on our part to the territory of Texas, and of the avowed purpose of the Texans in seeking recognition of independence as an incident to the incorporation of Texas in the Union, concluding thus:

"Prudence, therefore, seems to dictate that we should stand aloof and maintain our present attitude, if not until Mexico itself or one of the great powers shall recognize the independence of the new government, at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty and to uphold the government constituted by them. Neither of the contending parties can justly complain of this course. By pursuing it we are but carrying out the long-established policy of our government, a policy which has secured to us respect and influence abroad and inspired confidence at home."

These are the words of Andrew Jackson. They are evidence that the United States, in addition to the test imposed by public law as the condition of the recognition of the independence of a neutral state, to wit, that the revolted state shall "constitute in fact a body politic, having a government in substance as well as in ability, possessed of the elements of stability, and forming de facto 'if left to itself a state among the nations, reasonably capable of discharging the duties of a state, has imposed for its own governance in dealing with cases like these, the further condition that recognition of an independent state is not due to a revolted dependency until the danger of its being again subjugated by the parent state has entirely passed away." This extreme view was, in fact, applied in the case of Texas.

The congress to whom President Jackson referred the question as one probably leading to war, and therefore an appropriate subject for a "previous understanding with that body by whom war can alone be declared, and by whom all the provisions for sustaining its perils must be furnished, left the matter of recognition of Texas to the discretion of the executive, providing merely for the sending of diplomatic agents when the president should be satisfied that the republic of Texas had become an "independent state."

It was so recognized by President Van Buren, who commissioned a charge d'affaires March 7, 1837, after Mexico had abandoned an attempt to conquer the Texas territory, and then there was at the time no bona fide contest going on between the insurgent province and its former sovereign.

Cuba Not Rightly a State.

I said in my message of December last: "It is to be seriously considered whether the Cuban government possesses beyond dispute the attributes of statehood, which alone can demand the recognition of belligerency, in its favor."

The question of recognizing independence is in question, for no less positive test can be applied to the greater act than to the lesser, while on the other hand the influences and consequences of the struggle depending upon the internal policy of the recognizing state, which form important factors in the recognition of belligerency, are secondary if not rightly eliminable factors when the real question is whether the community claiming recognition is or is not independent beyond peradventure.

Recognition Inexpedient.

Nor from the standpoint of expedience do I think it would be wise or prudent for this government to recognize at the present time the independence of the so-called Cuban republic. Such recognition is not necessary in order to enable the United States to intervene and pacify the island. To commit this country now to the recognition of any particular government in Cuba might subject us to embarrassing conditions of interest obligation toward the organization so recognized. In case of intervention, our conduct will be subject to the approval or disapproval of such government. We would be required to submit to its direction and to assume to it the more relation of a friendly ally. When it shall appear hereafter that there is within the island a government capable of performing the duties and discharging the functions of a nation, and having, as a matter of fact, the proper forms and attributes of nationality, such government can be promptly and readily recognized and the relations and interests of the United States with such nation adjusted.

Possible Alternative.

There remain the alternative forms of intervention to end the war, each as an impartial neutrality, by imposing a rational compromise between the contestants or as the active ally of the one party or the other. As to the first, it is not to be forgotten that during the last few months the attitude of the United States has virtually been one of friendly intervention in many ways, each not of itself conclusive, but all tending to the exertion of a potential influence toward an ultimate pacific result, just and honorable to all interests concerned. The spirit of all our acts hitherto for peace and prosperity in Cuba, untarnished by differences between the United States and Spain and unstained by the blood of American citizens. The forcible intervention of the United States as a neutral to stop the war according to the large dictates of humanity and following the historical precedents wherein the United States has interfered to check the hopeless sacrifice of life by internecine conflicts beyond their borders, is justifiable on national grounds. It involves, however, hostile constraint upon both parties to the contest, as well as to enforce a truce as to end the eventual settlement. The grounds for such intervention may be briefly summarized as follows:

First—In the cause of humanity and to put an end to the barbarities, bloodshed, starvation and horrible miseries now existing there upon a people who, in the conflict are either unable or unwilling to stop or mitigate. It is no answer to say this is all in another country, belonging to another nation, and is therefore none of our business. It is explicitly our duty,

for it is right at our door.

Second—We owe it to our citizens in Cuba to afford them that protection and indemnity for life and property which no government there can or will afford, and to that end terminate the conditions that deprive them of legal protection.

Third—The right to intervene may be justified by the very serious injury to the commerce, trade and business of our people and by the wanton destruction of property and devastation of the island.

Fourth—And which is of foremost importance, the condition of affairs in Cuba is a constant menace to our peace, and entails upon this government enormous expense. With such a conflict waged for years in an island so near us and with which our people have such trade and business relations—when the lives and liberty of our citizens are in constant danger, their property destroyed and themselves ruined—when our trading vessels are liable to seizure and are seized at our very door by wars of a foreign nation, the expeditions of filibustering that we are powerless to prevent altogether, and the irritating questions and entanglements thus arising—all these and others are a constant menace to our peace and tend to keep us on a war footing with that nation with which we are at peace.

The Maine Incident.

These elements of danger and disorder already pointed out have been strikingly illustrated by a tragic event which has deeply and justly moved the American people; I have already transmitted to congress the report of the naval court of inquiry on the destruction of the battle-ship Maine in the harbor of Havana during the night of the 15th of February. The destruction of that noble vessel has filled the national heart with inexpressible horror; 258 brave sailors and marines and officers of our navy, reposing in the fancied security of a friendly harbor have been hurled to death. Grief and want are brought to their homes and sorrow to the nation.

The naval court of inquiry, which, it is needless to say, commands the unqualified confidence of the government, was unanimous in its conclusion that the destruction of the Maine was caused by an act of terror explosion, and also by a submarine mine. It did not assume to place the responsibility. That remains to be fixed. In any event, the destruction of the Maine, by whatever exterior cause, is a patent and impressive proof of a state of things in Cuba that is intolerable. That condition is thus shown to be such that the Spanish government cannot assure safety and security to a vessel of the American navy in the harbor of Havana on a mission of peace, and rightfully reference in this connection is made to recent diplomatic correspondence.

A dispatch from our minister to Spain of the 26th ultimo contained that the Spanish minister for foreign affairs assured him positively that Spain will do all that the highest honor and justice require in the matter of the Maine.

The reply also referred to of the 31st ultimo also contained an expression of the readiness of Spain to submit to arbitration all the differences which can arise in this matter, which is subsequently explained by the note of the Spanish minister at Washington of the 10th inst., as follows:

"As to the question of fact which springs from the diversified views between representatives of the American and the Spanish boards, Spain proposes that the fact be ascertained by an impartial investigation by experts, which decision Spain accepts in advance. To this I have made no reply."

Another Precedent.

President Grant, in 1875, in discussing the purposes of the Cuban contest as it then appeared, and the hopeless and apparent indefinite prolongation of such event, said: "I am of the opinion that other nations will be compelled to assume the responsibility which devolves upon them, and to seriously consider the only remaining measures possible—mediation and intervention. Owing, perhaps, to the large expanse of water separating the island from the peninsula, the contending parties appear to have within themselves no depository of common confidence to suggest have their sway, and thus assume the part of peace-makers."

In this view in the early days of the contest the good offices of the United States as the mediator were tendered in good faith without any selfish purpose in the interest of humanity and sincere friendship for both parties, but were at the time declined by Spain with the declaration, nevertheless, that at a future time they would be indispensable. No intimation has been received that in the opinion of Spain that that time has been reached; yet the strife continues with all its dread horrors and its injuries to the United States and other nations. Each party seems quite capable of working great injury and damage to the other as well as to all the relations and interests dependent on the existence of peace in the island; but they seem incapable of reaching any agreement, and both have thus far failed of achieving and success whereby one party shall possess and control the island to the exclusion of the other.

Under the circumstances the agency of others, either by mediation or by intervention, seems to be the only alternative which must sooner or later be involved for the termination of the strife.

In the last annual message of my immediate predecessor during the pending struggle, it was said:

"When the inability of Spain to deal successfully with the insurrection has become manifest, and if demonstrated that her sovereignty is extinct in Cuba, for all purposes of its rightful existence, and when a hopeless struggle for its re-establishment has degenerated into the strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject-matter of the conflict, a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations which we can hardly hesitate to recognize and discharge."

In my annual message to congress December last, speaking to this question, I said:

"The near future will demonstrate whether the indispensable condition of a righteous peace, just alike to the Cubans and Spain, as well as equitable to all our interests, so intimately involved in the welfare of Cuba, is likely to be attained. If not, other action by the United States will remain to be taken; when that time comes the action will be determined in the line of indisputable right of duty; it will be faced without misgiving or hesitancy in the light of the obligation this government owes to itself, to the people who confided the protection of their interests and honor and to humanity."

"Sure of the right, keeping free from all offense ourselves, actuated by upright and patriotic considerations, moved neither by passion nor selfishness, the government will continue its watchful care over the rights and property of American citizens, and will abate none of its efforts