

**ANNUAL REPORTS**

**OF THE**

**WAR DEPARTMENT**

**FOR THE**

**FISCAL YEAR ENDED JUNE 30, 1906.**

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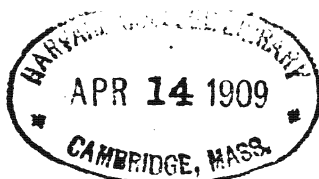
**VOLUME I.**

**REPORTS OF THE SECRETARY OF WAR, CHIEF OF STAFF,  
THE MILITARY SECRETARY, INSPECTOR-GENERAL,  
AND JUDGE-ADVOCATE-GENERAL.**

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*W. B. Raccoe,  
Cambridge.*

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<sup>a</sup> Printed in Report of Chief of Engineers, Vol. V.  
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# REPORT OF THE SECRETARY OF WAR.

WAR DEPARTMENT,  
*Washington, D. C., December 12, 1906.*

To the PRESIDENT:

I have the honor to submit the following report of operations of this Department for the past year:

## THE ARMY.

On the 9th of December, 1905, the date of the last annual report, the Army of the United States, according to the latest reports which had been received from the military departments (October 15, 1905), consisted of 3,750 officers and 56,064 enlisted men, a total of 59,814. In addition there were in the service 3,029 men of the Hospital Corps, excluded by the act of March 1, 1887, from classification as part of the enlisted force of the Army. There were also in the service 25 officers and 552 men of the Porto Rico Regiment and 115 officers and 5,059 enlisted men of the Philippine Scouts.

At the date of the last reports received from the military departments (October 15, 1906) the actual strength of the Regular Army was 3,709 officers and 54,659 enlisted men, distributed as follows:

Geographical distribution.	Officers.	Enlisted men.	Total.
In the United States.....	2,463	36,208	38,671
In Alaska.....	42	750	792
In the Philippines.....	733	11,219	11,952
In Porto Rico.....	4	5	9
In Cuba.....	326	4,624	4,950
In Hawaii.....	18	219	237
Troops en route and officers at other foreign stations.....	123	1,634	1,757
Total.....	3,709	54,659	58,368



special appropriations made for the relief of sufferers from earthquake and conflagration on the Pacific coast.

Bureau.	Allotments.	Expenditures.	Estimated accounts outstanding.	Approximate unexpended balance.
Quartermaster's Department .....	\$1,500,000.00	\$1,182,812.07	\$317,187.93	.....
Medical Department.....	250,000.00	161,518.01	.....	\$88,481.99
Signal Office.....	25,000.00	17,000.00	.....	8,000.00
Subsistence Department.....	800,000.00	274,524.08	5,478.92	20,000.00
Pay Department.....	25,000.00	22,858.58	1,044.42	1,000.00
Unallotted reserve.....	400,000.00	21,560.76	.....	378,439.24
	2,500,000.00	1,680,370.50	323,708.27	495,921.23

#### RECAPITULATION.

Act April 19, 1906 .....	\$1,000,000.00	
Act April 24, 1906 .....	1,500,000.00	
Expenditures.....		\$2,500,000.00
Balance.....		819,629.50
Less estimated accounts outstanding.....		323,708.27
Estimated balance to be covered into Treasury .....		495,921.23

The Quartermaster's Department deserves great credit for the prompt, efficient, and satisfactory manner in which it accomplished the transportation of all the relief supplies of the Army.

A full and detailed report of the services rendered by army troops in connection with the disaster is given in the special report of General Greely, commanding the Pacific Division, annexed hereto as Appendix A, and in the annual reports of the Quartermaster-General, the Surgeon-General, the Commissary-General, and the Chief Signal Officer.

An insurrection against the government of Cuba that arose during the past summer assumed such proportions by September that the President of that Republic requested the intervention of the United States, under the authority derived from the so-called Platt amendment; and in connection with the establishment of a provisional government for Cuba for the purposes of pacification, an expeditionary force of regular troops, aggregating 5,396 men, was dispatched to Cuba and is now there, with Brig. Gen. J. Franklin Bell, Chief of Staff, in command.

During our first military occupation of Cuba and while the army was employed in putting down the insurrection in the Philippines, a large part of the expense involved in such use of the United States Army was made a charge against the revenues of Cuba and the Philippines, respectively.

Among the classes of army expenditures thus paid out of the Cuban and Philippine treasuries were the following:

Rent of barracks, hospitals, store-houses, quarters for officers and for enlisted men entitled thereto by the regulations of the U. S. Army; rent of target ranges, pastures, drill grounds, and similar expenditures; repairs for quarters and material used in such repairs; services such as scavengers and policing not required to be performed by troops and prisoners; all expenses necessary in the supply of water; such expenditures as are made from the appropriation for transportation of the Army, as repairs of wagons, transportation material, shoeing of horses and mules, maintenance of vessels and crews used by the Quartermaster's Department in Cuba; surveying instruments and books; expenses connected with the establishment and maintenance of detention camps, material used in disinfection, and similar emergency expenditures; maintenance and operation of telephone and telegraph lines used by the army; and hire of scouts, guides, and interpreters.

The sending of an expeditionary force to Cuba of course involves a very considerable expenditure for army purposes additional to that which would be necessary if the same force were employed in their ordinary places of duty. An itemized account of such expenditures is being kept by the Department, and it seems just and proper that the increased cost to the United States of sending expeditionary forces to Cuba should be paid out of the funds of the Cuban treasury.

In consequence of disaffection growing out of allotment of lands forming the Uintah Reservation in Utah some of the Ute Indians left their reservations during the past summer, traveling generally toward the reservations of the Sioux in South Dakota and the Northern Cheyennes in Montana. Their march across the State of Wyoming gave rise to considerable uneasiness among the people of that State, and in response to a call from the governor of Wyoming troops were sent to the scene for the purpose of inducing those Indians to peacefully return to their reservation in Utah, as desired by the Indian Bureau.

The Indians, consisting of some 300 persons, about half of whom were well-armed men, were found to be moving down the Little Powder River, and after negotiations with the chiefs the entire body was conducted to Fort Meade, S. Dak., where they are now held awaiting orders as to their final disposition.

Ute Indian disturbance.

importance to the claimants, and their payment would be an indication of the good faith with which our Government has steadfastly sought to act in its relations to the Filipino people.

Claims of peculiar merit would appear to be those made for damages to property involved in the pacification of the island of Mindoro, the claims amounting to \$11,072.88 and covering over 100 separate cases. All the papers concerning these claims, with an estimate, will be sent to Congress at an early day. It is earnestly recommended that the Congress give favorable consideration to the claims submitted.

#### CUBA.

On the 29th of September a provisional government was established in Cuba, under the authority of the United States, for the government of the Cuban Republic. This grew out of the insurrection against President Palma's government, which assumed such formidable proportions as to lead him to invite the intervention of the United States. You directed Mr. Robert Bacon, the Assistant Secretary of State, and myself to go to Cuba to assist in bringing about, if possible, a peaceable settlement of the controversies which had given rise to the insurrection. In Appendix E, which accompanies this report, Mr. Bacon and I have submitted an extended account of what was done under your direction in Cuba, which finally resulted in the establishment of the provisional government under the authority of the United States. For a few days I acted as the provisional governor, and then under instructions from you turned the government over to the administration of Hon. Charles E. Magoon, as provisional governor. It became necessary to designate some Department and bureau to which the provisional governor should report such matters as called for action by the authorities of this Government. By Executive order, therefore, the matters to be attended to in this country relating to Cuba were put under the Insular Bureau of the War Department, and the correspondence with reference to Cuba was directed to be recorded in that bureau. The Executive order is annexed hereto as Appendix F.

The provisional government under Governor Magoon is gradually bringing about a tranquil condition and making preparation as rapidly as circumstances permit for a compliance with the assurances of the proclamation by which the provisional government was established for the holding of fair elections and the turning over of the government to the persons shown by such election to be entitled to conduct it.

## APPENDIX E.

### CUBAN PACIFICATION.

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#### REPORT OF WILLIAM H. TAFT, SECRETARY OF WAR, AND ROBERT BACON, ASSISTANT SECRETARY OF STATE, OF WHAT WAS DONE UNDER THE INSTRUCTIONS OF THE PRESIDENT IN RESTORING PEACE IN CUBA.

WASHINGTON, D. C., *December 11, 1906.*

MR. PRESIDENT:

We have the honor hereby to submit to you a report of what was done by us under your direction in assisting to bring about peace in Cuba between the time when we left Oyster Bay, the evening of the 14th of September, after having received your letter to Señor Quesada, and the 13th of October, when we left Habana after the provisional government of the Republic of Cuba, in the meantime established under the "Platt amendment," had been, by your direction, turned over to Governor Magoon.

Substantially all of what was done by us is shown in the very full cables which were exchanged between you and us. We have examined the entire file and have appended to this report, as Exhibit 1, the full correspondence by cable and one or two letters necessary to preserve its continuity, omitting only a few sentences containing expressions of opinion regarding persons and things which it is not wise or prudent at this time, having regard to the delicacy of our position in Cuba, to make public.

The occasion for your summoning us to confer with you at Oyster Bay was the news which you had received of conditions in Cuba and the instability of the government there, through telegraphic dispatches of Consul-General Steinhart. Consul-General Steinhart had been in Cuba since the beginning of the military occupation, and was quite intimate with President Palma and with members of his administration. In sending confidential communications, therefore, President Palma and his administration preferred the medium of Mr. Steinhart to that of Mr. Sleeper, the chargé d'affaires in the absence of Mr. Morgan, the minister. For the sake of clearness, although this correspondence has been before published, we set it out as follows:

HABANA, *September 8, 1906.*

SECRETARY OF STATE:

*Absolutely confidential.* Secretary of State, Cuba, has requested me, in name of President Palma, to ask President Roosevelt send immediately two vessels; one to Habana, other to Cienfuegos; they must come at once. Government forces are

unable to quell rebellion. The Government is unable to protect life and property. President Palma will convene Congress next Friday, and Congress will ask for our forcible intervention. It must be kept secret and confidential that Palma asked for vessels. No one here except President, Secretary of State, and myself know about it. Very anxiously awaiting reply. Send answer to

STEINHART, *Consul-General.*

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HABANA, *September 10, 1906.*

SECRETARY OF STATE, *Washington:*

President here worried because no reply received my message, and asks war vessels be sent immediately.

STEINHART, *Consul-General.*

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DEPARTMENT OF STATE,  
*Washington, September 10, 1906.*

STEINHART, *Habana:*

Your cable received. Two ships have been sent, due to arrive Wednesday. The President directs me to state that perhaps you do not yourself appreciate the reluctance with which this country would intervene. President Palma should be informed that in the public opinion here it would have a most damaging effect for intervention to be undertaken until the Cuban Government has exhausted every effort in a serious attempt to put down the insurrection and has made this fact evident to the world. At present the impression certainly would be that there was no real popular support of the Cuban Government or else that the Government was hopelessly weak. As conditions are at this moment we are not prepared to say what shape the intervention should take. It is, of course, a very serious thing to undertake forcible intervention, and before going into it we should have to be absolutely certain of the equities of the case and of the needs of the situation. Meanwhile we assume that every effort is being made by the Government to come to a working agreement which will secure peace with the insurgents, provided they are unable to hold their own with them in the field. Until such efforts have been made we are not prepared to consider the question of intervention at all.

BACON, *Acting Secretary.*

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DEPARTMENT OF STATE, *September 11, 1906.*

STEINHART,

*American Consul-General, Habana:*

Your letter of September 5th has had the careful consideration of the President, who, for your private information, believes actual, immediate intervention to be out of the question. We are considering, however, and would like your opinion, as to whether or not to send a word of emphatic warning as to the certainty that intervention will come in the end unless the people of Cuba, for the sake of their country, find some way to settle their difficulties, irrespective of personalities, cease their contentions, and live in peace. This you may convey confidentially to President Palma, but not for publication. You will urge President Palma to use in the most effective manner all the resources at his command to quell the revolt.

BACON.

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HABANA, *September 10, 1906.*

SECRETARY OF STATE, *Washington:*

Your cable received and directly communicated to the President, who asks ships remain for a considerable time to give security to foreigners in the island of Cuba, and says that he will do as much as possible with his forces to put down insurrection, but if unable to conquer or compromise Cuban Congress will indicate kind of intervention desirable. I appreciate reluctance on our part to intervene, especially in view of Secretary Root's recent statements. Few, however, understand Cuban situation and a less number are able to appreciate the same. This is, of course, without any reference to superior authority. Palma applied public funds in public works and public education, but not in purchase war material. Insurrectionists for

a considerable time prepared for present condition, hence Government's apparent weakness at the commencement. Yesterday's defeat of rebels gives the Government hope. Attempts useless from the start.

STEINHART, *Consul-General.*

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HABANA, *September 12, 1906.*

SECRETARY OF STATE:

Secretary of State the Republic of Cuba at 3.40 to-day delivered to me memorandum in his own handwriting, a translation of which follows and is transmitted notwithstanding previous secret instructions on the subject: "The rebellion has increased in the provinces of Santa Clara, Habana, and Pinar del Rio, and the Cuban Government has no elements to contend it, to defend the towns and prevent the rebels from destroying property. President Estrada Palma asks for American intervention and begs that President Roosevelt send to Habana with the greatest secrecy and rapidity 2,000 or 3,000 men to avoid any catastrophe in the capital. The intervention asked for should not be made public until the American troops are in Habana. The situation is grave and any delay may produce a massacre of citizens in Habana."

STEINHART, *Consul-General.*

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HABANA, *September 12, 1906.*

(Received 1.39 p. m.)

SECRETARY OF STATE, *Washington:*

Your cable 11th received and instructions complied with. My opinion is that a message reading as follows should at once be cabled to our chargé d'affaires here, to be communicated to President Palma, and if possible given at the same time to the press: "The President of the United States directs me to communicate to you that he regrets present state of affairs in Cuba, and directs me further to say that you must use in the most effective manner all the resources at your command to quell the present revolt, or else in the end intervention on the part of the United States of America will become a necessity, which, for the sake of your country, must be avoided." I have used, as far as possible, your own phraseology, and I believe if so sent will have a favorable result in Cuban Congress next Friday. All references to make a compromise, or like ideas, must be omitted; it is most important that the dignity of Government is upheld to guarantee its future stability.

STEINHART, *Consul-General.*

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HABANA, *September 13, 1906.*

ASSISTANT SECRETARY OF STATE, *Washington:*

President Palma, the Republic of Cuba, through me officially asks for American intervention because he can not prevent rebels from entering cities and burning property.

It is doubtful whether quorum when Congress assembles next Friday, to-morrow. President Palma has irrevocably resolved to resign and to deliver the Government of Cuba to the representative whom the President of the United States will designate as soon as sufficient American troops are landed in Cuba. This act on the part of President Palma to save his country from complete anarchy, and imperative intervention come immediately. It may be necessary to land force of *Denver* to protect American property.

Probably about 8,000 rebels outside Habana. Cienfuegos also at mercy of rebels. Three sugar plantations destroyed.

Foregoing all resolved in Palace. Present, the President, secretary of state, secretary of war, and

STEINHART, *Consul-General.*

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HABANA, *September 14, 1906—2.41 p. m.*

SECRETARY OF STATE, *Washington:*

President Palma has resolved not to continue at the head of the Government, and is ready to present his resignation, even though the present disturbances should cease at once. The vice-president has resolved not to accept the office. Cabinet ministers have declared that they will previously resign. Under these conditions it is impossible that Congress will meet, for the lack of a proper person to convoke

same to designate a new president. The consequences will be absence of legal power, and therefore the prevailing state of anarchy will continue unless the Government of the United States will adopt the measures necessary to avoid this danger.

STEINHART, *Consul-General*.

The foregoing correspondence led to the writing and publication of your letter to Señor Gonzala de Quesada, the minister from Cuba to the United States. The letter was inclosed by you in a letter to Mr. Bacon, as follows:

THE WHITE HOUSE,  
Washington.

OYSTER BAY, N. Y., *September 14, 1906.*

MY DEAR SIR: In view of the cables which have been received making it evident that President Palma intends to resign at the earliest opportunity, and that the vice-president and cabinet seem resolved to avoid taking upon themselves the responsibilities of government, and in view of the repeated requests of President Palma for the landing of troops and intervention, it is evident that we must act at once in such a way as to protect American interests by fulfilling American obligations to Cuba. Moreover, under the circumstances it is also evident that the ordinary type of diplomatic communication would in this case accomplish no good purpose. The situation in the island seems to be one of impending chaos with no real responsible head, and the inclosed letter to Minister Quesada, which will be communicated to our chargé d'affaires at Habana for transmission to President Palma, and for publication in the Cuban press, seems to offer the best way of communicating not merely with the supposed governmental authorities, but with the Cuban people.

Sincerely, yours,

THEODORE ROOSEVELT.

HON. ROBERT BACON, *Acting Secretary of State.*

The letter to Señor Quesada we append as Exhibit 2.

In that letter you described the dreadful disaster imminent in Cuba and the evil of anarchy into which civil war and revolutionary disturbances would assuredly throw her, and pointed out that the only way in which Cuban independence could be endangered was for the Cuban people to show their inability to continue in their path of peaceful and orderly progress; and that our intervention in Cuban affairs would come only if Cuba herself showed that she had fallen into the insurrectionary habit. You solemnly adjured all Cuban patriots to band together, to sink all differences and personal ambitions, and to rescue the island from the anarchy of civil war. You said that under the treaty with Cuba, as President of the United States, you had a duty in the matter which you could not shirk; that the third article of the treaty explicitly conferred upon the United States the right to intervene for the maintenance in Cuba of a government adequate for the protection of life, property, and individual liberty; that the treaty conferring the right was the supreme law of the land, and furnished you with the right and means of fulfilling the obligation that you were under to protect American interests; that your information showed that the social bonds throughout the island had been so relaxed that life, property, and individual liberty were no longer safe; and that in your judgment it was imperative for the sake of Cuba that there should be an immediate cessation of hostilities and some arrangement which would secure the permanent pacification of the island. You closed the letter as follows:

I am sending to Habana the Secretary of War, Mr. Taft, and the Assistant Secretary of State, Mr. Bacon, as the special representatives of this Government, who will render such aid as is possible toward these ends. I had hoped that Mr. Root, the Secretary of State, could have stopped in Habana on his return from South America, but the seeming imminence of the crisis forbids further delay.

From Oyster Bay we went to Washington, and before leaving for Cuba on the afternoon of the 16th of September Mr. Taft wrote a letter to you describing the readiness of the Army to meet the calls of a possible forcible intervention, and also inclosing an opinion of the Judge-Advocate-General affirming your right and duty as President to intervene in Cuba under the Platt amendment to the Cuban treaty, without additional authority from Congress, in which Mr. Taft expressed his concurrence. That letter and opinion we append as Exhibit 3.

To this letter you replied in a personal note of September 17, which subsequently reached us in Cuba, and expressed your pleasure that the Army was in a state of readiness, and your agreement with the view that if the necessity arose you had the right to intervene without additional authority from Congress, under the Platt amendment. You said "that treaty is the law of the land and I shall execute it. I most earnestly hope that there will be no necessity for intervention; and I have profound faith that you will be able to settle things, for I think that the Cubans of both sides have been a good deal impressed by the notice of what will come to them if they do not quit quarreling."

We left Washington Sunday afternoon by train for Tampa, where we were met by the United States S. S. *Des Moines*, and reached Habana Wednesday morning, September 19. Before leaving the ship we received word that Secretary O'Farrill, secretary of state and justice, of President Palma's cabinet, would call at our convenience. We invited him aboard at once and had a short talk with him in respect to the situation. He said that it was serious. He said that immediately upon the publication of the President's letter, President Palma had directed a cessation of hostilities on the part of the Government forces, and he understood that the insurgents had done likewise. He said that the insurgents insisted on new elections for all officials who had been elected in December, 1905, and March, 1906, but that this presented a very serious difficulty, because the constitution made no provision for the vacation of the offices or for the holding of such an election. He said that President Palma would be glad to see us at our convenience and we fixed 10 o'clock as the hour. We went to the palace and met President Palma with Secretary O'Farrill. We said to President Palma that we had no other mandate or instructions than those contained in your letter to Señor Quesada; that we regarded ourselves as intermediaries and peace commissioners, but did not wish to undertake any negotiations with rebels in arms until we had the permission of President Palma as the head of the constituted government, and asked him with whom we should conduct our negotiations. We said to him that we felt very much distressed at the conditions which existed and we hoped that we might find some method of settlement upon which all parties could agree. We asked him whether he wished us to confer with him and with the insurgents, or whether he preferred that we should hold our conference with some one whom he might designate on behalf of the Government. He said that he thought it more convenient to negotiate between the two political parties, the Moderates and the Liberals, and he referred us to Señor Mendez Capote, vice-president, as the head of the Moderate party, and Senator Alfredo Zayas, as the head of the Liberal party. He said that one of the difficulties of the situation was the failure of Congress to comply with the constitution in not making municipal govern-



ments elective; that he had recommended this to Congress a number of times, but that no action had been taken. He said that immediately upon the publication of your letter to Señor Quesada, he had deemed it his duty to declare a truce on the part of the Government forces. We said to him that we had heard that an effort had been made by General Menocal and others, on behalf of the veterans of the war of Cuban independence, to bring about a compromise, which had failed, and that upon the publication of your letter another effort had been initiated, and that we had hoped that we might find peace established before our arrival. The President indicated some impatience at Menocal's intervention, and expressed the opinion that he had done no good, and said that certainly his efforts had failed. This was in substance all of the conversation, except a long and interesting statement which the President made of his efforts to teach his people the knowledge of self-government which by twenty years of residence in the United States he had acquired from association with the American people, of his successful handling of the finances of the Cuban Government, of the economy of expenditure in his administration, of the encouragement he had given to the investment of foreign capital, and of the consequent prosperity which had come to Cuba during the four years of his incumbency as President. He manifested an intense interest in the large balance which there was in the treasury, and the greatest regret that that balance was likely to be much reduced by the extravagance of expenditures required in the efforts made and making to suppress the insurrection. He said that he had insisted upon the maintenance of all the guaranties of civil liberty under the constitution, and had declined to suspend them until the insurrection had proceeded to a point where it could not be avoided; that for six months he had been made aware of the plotting which was going on against the government, but that so great was the prosperity and the comfort of the people, and so successful had his government been in arts of peace, he declined to take rigorous steps against the conspirators, for he had not supposed that such an insurrection as had occurred was possible. He deplored what he regarded as a lack of gratitude and patriotism on the part of those who were supporting the insurrection, and gave us a number of instances tending to show that the leaders of the insurrection were moved only by the basest of purposes—by a pecuniary greed and for office. His demeanor was dignified and earnest, the evidences of his sorrow were touching, and what he said made a deep impression on us.

We had been joined in Washington on our way down to Cuba by the minister, Mr. Morgan, who accompanied us to Habana. Mr. Morgan hospitably suggested that we should live with him at Marianao during our stay. Marianao is a suburb of Habana, 9 miles from the center of the city, and is on one of the main roads from the outside country into Habana. It put us outside the regular lines of defense of the city then established by the Cuban Government, and although the town of Marianao was in possession of the regular municipal government and the legally constituted police, the insurgents had their outposts just across a bridge, about a thousand yards from the minister's house. We considered that this position between the lines, so to speak, was not without its advantages in dealing with the two belligerent parties, and therefore accepted Mr. Morgan's invitation to become his guests. Marianao is connected with the

city by a steam line and an electric line, and we generally made visits to the town by the use of an automobile. We immediately caused it to be known through the press and otherwise that we were anxious to consult prominent men of both parties, and also prominent business men not having to do with politics, Cubans, Americans, Spaniards, and others, in order that we might learn the details of the situation. We invited Señor Mendez Capote, as the head of the Moderate party, and Señor Alfredo Zayas, as the head of the Liberal party, to hold as many conferences as convenience would permit upon the general subject. We also conferred with Secretary Montalvo, the secretary of government, who had charge of all the mobilization and arming of the forces of the government, including the rural guard, artillery, and militia. We also held a conference with General Rodriguez, who was Secretary Montalvo's immediate subordinate, and actually in charge of the government forces. We found in Cuba Major Ladd, of The Military Secretary's Department, who was very familiar with Cuba, and owned property there, and who had been sent by the War Department sometime before, for the purpose of taking observations of conditions. We brought with us Mr. F. S. Cairns, the surveyor of the port of Manila, an American whose family was living in Cuba, and who himself had been a member of the secret service of the military government and of the customs department in Habana under General Wood. We used these and other officers, to obtain information as to the number, organization, arms, and ammunition of the insurgents in the neighborhood of Habana. We had with us as an aid, Captain McCoy, who had been an aid-de-camp of General Wood while he was governor-general of Cuba, who spoke Spanish and who knew all the public men of the island. We had the benefit of the information of the minister and the secretaries of legation. We had the assistance of Consul-General Steinhart, who, by reason of his eight years' service in the islands, was better acquainted with conditions and public men than any other American whom we could have consulted. He was with us constantly, and greatly aided us. The four days after our arrival we spent in earnest consultation with both the Moderates and the Liberals, and also with as many prominent men, not politicians, having as many different points of view, as possible. We found that we could obtain a great deal of information orally, which those who gave it to us declined to put in writing for fear of its being used to their disadvantage in future should those whom they criticised come into power. Of course we could not make a judicial investigation and summon witnesses, put them under oath, take their testimony, and put it in writing, and subject them to cross-examination. We were making our investigations under pressure. With 15,000 men in arms living on the country, freed from the ordinary restrictions of law, depredations were inevitably occurring in every town and every country district where insurrectos quartered themselves. The danger to large sugar mills and plantations and to railway shops and warehouses, especially those belonging to foreigners and Americans, was impressed on us by most urgent appeals for protection, which we could not give, and called for as great speed as possible on our part in finding out the facts and reaching a conclusion. By the course pursued, we were able to obtain a good understanding and to reach a safe conclusion as

to that part of the recent political history of Cuba which it was important for us to know in arriving at an equitable solution of the difficulties presented by the great emergency which confronted us.

#### RECENT CUBAN POLITICAL HISTORY.

The military government established by the United States in Cuba after the Spanish war, prepared in 1901, in compliance with the promise contained in the Teller amendment, to turn the island over to a Cuban republican government with a constitution adopted by a convention. Municipalities had been established or continued under officers who were elected. Elections were held for a president and vice-president, and senators and representatives to constitute the two houses of the future Cuban Congress. In May, 1902, the military governor, General Wood, delivered over the government of the island to President Palma and the Cuban Congress duly elected.

Upon his installation in office, President Palma occupied an independent position in respect to the political parties, and invited into his cabinet men who either had no party affiliation, or were selected without respect to the parties to which they belonged. The constitution required the Congress to pass certain laws. One making the officers of the municipalities elective; another making the judiciary independent of the executive and irremovable, and a third securing a minority representation in both houses of Congress. The language of the constitution with respect to municipalities is so clear and mandatory as to seem to be self-executing, but it was held otherwise; and although requested by the president to enact a law complying with the constitutional injunction, Congress failed to do so. The result was, that although municipal officers had been elected in the time of the military government, under an order of General Wood, no subsequent election was held, and the old Spanish law was given effect, under which the officials of the municipalities or ayuntamientos, as they are called in Spanish, were subject to removal by the executive, who might appoint their successors. No law was passed providing for the irremovability of judges, and they remained subject to appointment and removal at the will of the executive. An electoral law had been established by military order of General Wood, but an amendment to this law was adopted by Congress, drafted by Señor Zayas, the leader of the Liberal party. Its provisions placed the control of the elections largely in the hands of the heads of the ayuntamientos, who are called *alcaldes*. The law in effect provided for two elections, a preliminary election at which were to be elected the board of registrars for the main election; and this board of registrars was not only to make the registration, but ultimately to act as judges of election and to count the votes. The preliminary election, it was provided, should be opened at each ward or voting booth by a delegate appointed by the *alcalde* of the town, whose duty it was to select the oldest man present as the judge, and the two youngest men who could write as clerks. The registrars elected at the preliminary election then sent delegates from their own number to constitute a provincial electoral board, which received the returns from the local registrars and electoral boards, compiled them, and noted and declared the results. An election was held for members of the lower house early in 1904; and there seems to have been

looseness and fraud in that election, committed in Habana, at least, in the interest of the Liberal party through appointees of the Liberal alcalde.

President Palma continued to be independent of both parties until the spring of 1905, when, in despair at his inability to secure legislation which he desired, he thought it wiser to identify himself with the Moderate party, with the hope that through party solidarity and discipline he might secure what he regarded as needed legislation. Accordingly, he dismissed his cabinet of independents and appointed a cabinet which was known as the "Gabinete de combate," because, as it was said by the Moderates, it was largely made up of war veterans; but as charged by the Liberals, because it was understood to have the purpose of carrying the next elections by force. The 1905 election was the first and only one held in the Republic when the cabinet and the secretary of government controlling the municipalities, the police, the rural guards, and the elections were partisan.

For the better understanding of the facts, it should be said that members of the house of representatives and governors of provinces are, under the constitution and laws, elected directly by the people for four years; that senators are elected for eight years by senatorial electors chosen at a popular election, and that the president and vice-president are elected for four years by presidential electors chosen at a popular election. In the first elections in 1902, half of the senators and half of the members of the house were elected only for half a term. This half of the house was reelected for a full term in 1904. For the elections of 1905-6, then, half the senate was to be elected for eight years, half the house for four years, all the provincial governors were to be elected for four years, and a president and vice-president were to be elected for four years.

It is difficult to follow changes in the organizations of parties which took place between 1902 and 1905, but it suffices to say that at the time President Palma cast in his lot with the Moderate party there were three parties in existence: The Moderate party, the Liberal party, and what was called the National party, composed of the followers of Governor Nuñez, the governor of the province of Habana, who were sometimes called "Nuñistas." In the elections of 1905 Nuñistas and the Moderates united, and Governor Nuñez was a candidate for provincial governor on the Moderate ticket in the province of Habana. The Moderates nominated for president Tomas Estrada Palma and for vice-president Domingo Mendez-Capote, the leader of the Moderate party. The Liberals nominated for the presidency Gen. Jose Miguel Gomez, who was then the Liberal governor of the Province of Santa Clara, and for vice-president Alfredo Zayas. The secretary of government in the Moderate cabinet of President Palma was Gen. Freyre Andrade, a veteran of the civil war against Spain, a man of courage and intellectual and physical activity. His department had the control of the police, the rural guard, and the supervision of the municipal governments, and the conduct of elections. Under him there seem to have been many examinations into the conduct and make-up of the municipalities of the provinces, especially of Santa Clara, Pinar del Rio, and Habana, in all of which there were Liberal town governments. The Province of Matanzas is overwhelmingly Moderate in its political tendencies. So, too, seems to have been the Province of Santiago at that time.

The fighting ground was in the Province of Pinar del Rio in the West, in the capital Province of Habana, and in the central Province of Santa Clara. It is impossible to say, because the question is one obscured by partisan prejudice on each side, how far the complaints for violation of duty and illegality against the 20 or more ayuntamientos, which Gen. Freyre Andrade as the secretary of government removed or changed (most of them in the three Provinces of Habana, Pinar del Rio, and Santa Clara) were justified, but it is clear that municipal governments which had been Liberal were made Moderate in many towns in Pinar del Rio and Santa Clara, where the Liberals had previously been greatly in the majority, and that this was done during the summer and just before the preliminary elections held on the 23d of September.

An examination of the records would show that the changes were effected sometimes for reasons that went back two or three years, and the probabilities are that, however perfect the records, the purpose of the removals was political. It is certain that this was the view of the country at large and of everybody who knew anything about the action taken. No injustice could be done that would sink more deeply into the minds of the common people than unfair action affecting the personnel of their own town governments, the officers of which they had themselves elected in the days of the military government. Much more important measures could be adopted and pushed through affecting the general welfare of the islands unjustly and injuriously, without causing the same bitterness of feeling among the common people that this interference with their local governments would necessarily engender. To such people it was of much less consequence who was the President of the Republic, or who their congressional representative or senator, than who was the alcalde and who were the municipal councilors of their respective towns. The provisions of the electoral law which we have described show sufficiently the direct and immediate control which the appointment of Moderate alcaldes and ayuntamientos in Liberal communities gave to the central government over the elections to be held in Liberal strongholds.

Nor is it possible to free the Liberal party from blame in respect to the elections, for it appears that in Santa Clara, and possibly in Pinar del Rio, there were organizations of the Liberal party that did not stop at peaceful means to influence voters before the elections were held, and threats of force were not wanting to justify the Moderates in possession of the Government in preparing to meet them. General Gomez, the governor of Santa Clara and Liberal candidate for President, protested against the visitatorial power of the central Government in respect to municipalities, asserting that such power was with the provincial governments. This led to the burning of one of the town halls and the town records with the probable connivance of leading Liberals. The secretary of government made elaborate preparation, through the rural guards and the local police, to guard the polls and prevent fraud, with the result that numbers of persons were arrested and detained, and no protection was afforded Liberals, whose rights were denied them by the officers of the elections. The secretary of government took over to his immediate control the police of Habana and the rural guards, and made the assignments of particular officers himself to the various districts where it was thought they were needed. The prospect was thus made so discouraging to the Liberals that they

withdrew from the polls by concerted action after noon of the day of the preliminary election. Individual cases are told of where Liberals appeared at the booths early in the morning to find that the delegate of the alcalde had already appeared and certain designated persons were already acting as temporary registrars and election judges, the written reports reciting the proceedings having been made and signed in advance. In some places where the Liberals were known to be in the majority, only a very few Liberal votes were recorded, and more votes were registered for the Moderate candidates than there were inhabitants in the ward. The Liberals issued a statement on the 27th of September, in *El Liberal*, making specific charges as to the frauds and violence that had been committed. We append it as Exhibit 4. The registration conducted by the registrars elected at the preliminary election, which began in the first days of October, resulted in a registration of 432,000 voters in the island of Cuba, whereas by no possibility could the total number of voters exceed 300,000, and, as many of the Liberals did not register, the fraud involved in this registration amounted to an increase of 150,000 names. The figures of the registration were subsequently announced in *La Discusión*, the organ of the Moderate party, and commented on with great severity as indicative of gross fraud. The article from *La Discusión* is appended as Exhibit 5. The Liberals refused to present themselves to vote at the main election on December 31. The fact that the judges of these elections were the very registrars who had been elected at the preliminary elections in September, and who had been guilty of the gross registration frauds just referred to, in October, justified the belief of the Liberals that attempts to vote by them would be futile.

In meeting charge of the unfairness in elections, Señor Capote called attention to the fact that of the protests which had been made in the Senate and the House in respect to their validity, one was thrown out on the ground that the protest did not show that it was signed by an elector, as required by law, and the other was rejected on the ground that it did not contain sufficient specifications upon which a contest could proceed. It was quite consistent with the course taken by the Liberals in withdrawing from the second election, after they had observed the character of the first election, and with the custom prevailing among Latin-American parties of refusing to vote, in view of threatened fraud by their rivals who are in power, that the Liberals should fail, as they did, to go to the expense and trouble of preparing the evidence and specifications and showing the unfairness of those elections, when the hearing was to be had before a tribunal consisting of the Houses of Congress, a majority of each of which had profited by the frauds charged. The Liberals preferred the usual method of revolution.

We conferred with Gen. Freyre Andrade and asked him whether he had not used the rural guard and the police to carry the elections. His answer was that he had simply opposed force with force. We asked him whether he had not changed *ayuntamientos* for the purpose of substituting Moderates for Liberals, and his reply was that we would find that there was cause for the removal of every *ayuntamiento* alcalde spread upon the records of the department. We asked him whether there had not been registration so that at least 150,000 names must have been registered in addition to those who actually were entitled to register. He said that that was possibly true, but that it was

impossible to hold an election in Cuba without fraud, and that the officers of registration who were elected, when they heard that the Liberals were not going to register or vote, merely out of spirit of mischief had increased the registration lists in this generous manner. We learned from a prominent official who was elected to a high office in this election on the Moderate ticket and who had had great experience in elections in the islands, that it was impossible to hold an election without fraud in Cuba, and that the Liberals had been guilty of fraud in municipalities where they had control two years before; that there never had been, however, so much open coercion and fraud in the history of elections in the islands as was shown in the one of December, 1905; that he had remonstrated with General Andrade, and had pointed out that the election could be carried for the Moderates without going to such extremes, and that it would be very unwise to prevent the return of any Liberals to Congress or the Senate in that election. The truth seems to be that General Andrade and those who sympathized with him in the plan which he pursued had become convinced that the universal-suffrage clause of the constitution and the holding of elections according to the constitution and the law, with the Cuban electorate in its present condition of ignorance, would produce such instability in the government as to prevent the growth and the development of the country on the prosperous lines which had been realized under President Palma, and that it was necessary in the best interests of Cuba to secure for him a solid support in both Houses of Congress in order that the proper policies might be followed. The difficulty which they did not fully realize in adopting such a plan was the necessity for a strong force to suppress the resistance and insurrection which those who were to be deprived of the right to take part in the government might find it possible to initiate. There is reason to suspect that in some quarters it was thought that the Platt amendment and the intervention of the United States would supply the force needed to suppress any such uprising.

For the time being the triumphant course of the Moderate party continued undisturbed. In the elections in December every member of the house returned and every provincial governor was a Moderate, and all the presidential and senatorial electors were Moderates. Not a single Liberal candidate in any province was successful. This election was for only one-half of the House and one-half of the Senate. Of the members of the House who held over there was a majority of Moderates. Of the members of the Senate that held over there was a majority of Liberals. The result of this election gave a large majority to the Moderates in both houses. President Palma was inaugurated in March last. During the period between the election and the inauguration there were rumors of insurrections and plots against the government, and the rumors seem now to have been founded on fact. An insurrection was in fact started, but through the activity of Gen. Freyre Andrade, it was quickly suppressed by the rural guards, and he went to the country with an automobile and brought back the leaders of the insurrection and placed them in jail. With the inauguration of the new government, General Andrade retired from the cabinet to become the speaker of the House of Representatives.

It was thus supposed that all trouble was ended, and that the people preferred a strong government and a prosperous government to one conducted under a strict compliance with the electoral law. In August,



however, an insurrection began of much more formidable proportions. It came so suddenly and increased in numbers so rapidly as to surprise all those who thought themselves to be familiar with the conditions of Cuba, and who regarded the government as established on the firmest basis. The cause for the insurrection is to be found primarily in the election and the methods which were pursued in carrying it for the Moderate party. Of course it could not have occurred in a country in which the common and ignorant people are not as easily aroused by personal appeals of local leaders as they are in Cuba. It could not have occurred in a country where such a thing as an insurrection and "going to the field," as it is called, does not offer relief from daily labor, the pleasures of a picnic, and the opportunity to live on the country and upon the earnings and prosperity of other people; but with all this and with the natural tendency to insurrection that has been cultivated by a long history of insurrection in Cuba, no such formidable force could have been organized, had there not been some real feeling of injustice and outrage on the part of the less educated and poorer classes, who seemed more or less dimly to understand that the victory of the Moderates at the polls was the beginning of the end of power which they might exercise in the government. The growth of the insurrection was also aided by circumstances that make an insurrection in Cuba easy. The chief conservative force in a community, that which tends to prevent disturbances of the peace and outbreaks against the government, is the interest which those who own property have to exert all their influence to prevent it, and generally in every country with a stable government, in both parties or in all parties, there is a strong element of this conservative class. In Cuba it is not so. A large part of the property in Cuba is owned by foreigners, and those Cubans who own estates are not in politics and exercise no influence in them. The politicians are a class by themselves. This is true of both parties; though the Moderate party is composed of more conservative men than the Liberal party. The greater part of the wealth of Cuba is in its sugar plantations and in its sugar mills and machinery, most of which is owned by foreign capital. In less than a month in the proper season, it would be possible for the insurgent forces, carrying on a guerrilla warfare, to destroy \$70,000,000 of the wealth of Cuba, for the sugar mills could be blown up and a torch could be set to the cane fields, and they would go up in smoke. This power of destruction, which an insurrection of even moderate dimensions has, tends to take away from the constituted government the moral support that in a country under ordinary conditions might be expected from those who own its farms and plantations, because they, fearing injury to their own property by the insurgents, maintain a passive attitude in order to avoid incurring the enmity of those in arms.

The government of Mr. Palma was soon without moral support or sympathy in the island outside of the cities, except in the province of Matanzas, and, indeed, it had very little sympathetic support within Habana and the other cities. The Government forces, when the insurrection began, were limited to 600 artillery and 3,000 rural guards. The 3,000 rural guards were distributed in small detachments in the various towns of the island and were thus unable to cope with the insurrectos where they were organized in any numbers at all. This weakness of the Government left it naked to its enemies and critics. The revolution had begun simultaneously in Pinar del Rio, the western province, and in



Santa Clara, the central province of the islands. It spread from Pinar del Rio to Habana. In Pinar del Rio Faustino Guerra, making himself a major-general, marched from Pinar del Rio eastward into the province of Habana and there joined Loynaz Castillo, also a major-general, so that their joint forces amounted to from 8,000 to 10,000 men. Probably not more than 40 per cent of these men had rifles and ammunition, and not more than half of the men who were armed had really serviceable weapons. The rest were armed with machetes and revolvers. They were all mounted with horses of their own or with horses which they had appropriated. In Santa Clara, under Generals Guzman, Ferrera, and other leaders, a force of 6,000 or 8,000 men was organized. They were not so well armed even as the forces of Guerra and Castillo. In Camaguey there were only a few hundred insurrectos, and in Santiago a still smaller number, although if the insurrection had continued it is quite likely that in Santiago, which has heretofore been the home of insurrection, a large force would have been raised. The province of Matanzas was loyal to the Palma government and there were substantially no insurrectos in it. Had the insurrection proceeded this would have been important, because Matanzas divides Santa Clara from Habana and Pinar del Rio.

When we reached Habana, or a day or two afterwards, there were from 8,000 to 10,000 men ready to march into the city of Habana, and they closed all outlets except by the roads which ran into Matanzas to the eastward. During the truce, the Western Railway was permitted to operate. We interrogated Secretary Montalvo and General Rodriguez and learned from them that, while they had been actively mobilizing militia and increasing the rural guards to 5,000, they were still of opinion that if the truce had not been declared and was not then in force, they would not be able to prevent the insurgents from marching into Habana. The weakness of the Government forces was increased by the fact that a great majority of the populace of Habana were known to be strong sympathizers with the insurrection, and it was said by General Rodriguez that at least half of the police force would desert to the insurrectos if there was an effort made to enter Habana. The Government was unable to obtain any recruits for the rural guard, or any militia, or indeed any additional local police, without the promise of very large wages. They were obliged to pay their militiamen \$2.50 a day gold, and General Rodriguez explained to us that they were worse than useless. The truth is exactly as President Palma explained, through Mr. Steinhart, that he had been pursuing arts of peace and not arts of war, and his government was utterly unprepared to meet this attack.

It would not have been difficult for the Government forces, united with our bluejackets and marines which were available a few days after we reached the island, to drive back the insurgent forces, and with the first expedition of 6,000 troops of our Army it would have been a matter of a short time before the insurgents would have been dispersed into small guerrilla bands. But those who suggested to us—and there were some—that a firm stand by the United States Government against the rebels would lead them to disarm and disperse to their homes did not understand the temper of such a body of men or the considerations which moved them. The ease with which they might be overcome in a pitched battle and driven back by a trained force much less in number can not at all be made the basis for an inference that by a show of force of this kind

they could be induced to surrender and lay down their arms. Spain had 200,000 men in Cuba, and yet the guerrilla warfare went on. The fascination of a guerrilla life; the attractiveness of living on the country and enjoying that which another man has accumulated; the prominence which many would obtain in times of violence and lose in times of peace; the active sympathy of the uneducated and the poor in every community where they might be—all these would be certain motives for a continuance of the insurrection as a guerrilla warfare, with the immense destruction of property that would have followed. If forcible measures had been undertaken by the United States, the insurrection could doubtless have been suppressed, but it would have been a work of a year or more, and would have cost much blood and money.

We have thus at considerable length traced the history of the insurrection and the conditions which existed in Cuba when, in obedience to your instructions, we landed in Habana to aid in composing the differences between the contending parties.

#### PREVIOUS NEGOTIATIONS FOR A COMPROMISE.

As early as the 8th of September, just about the time when President Palma was sending the dispatches, through Mr. Steinhart, showing the distressing conditions that existed as to peace and order and the instability of the Government, General Menocal and General Agramonte, two men of high character and young veterans of the war of independence, tried to bring about peace, and they suggested the resignation of the representatives and senators and governors of provinces who had been elected at the last election, and the retention in office of the president and vice-president, and the redress in the matter of the officials of the municipal governments, who, it was claimed, had been removed for partisan purposes. In this work they secured a truce between the Government forces and the insurgents, and got the impression from the President and his cabinet that their propositions of compromise might be accepted. Subsequently, however, President Palma declined to consider the propositions of compromise, and directed that the truce be ended. This, it was said, was due to the report of a successful engagement by the Government troops with the insurgents, or possibly to the news that the United States Government had sent the *Denver* to protect property in Habana. We append a description of the steps taken by General Menocal and his fellow-veterans in favor of peace, which he was good enough to give us at our request, marked "Exhibit 6." These negotiations took place on the 8th, 9th, and 10th, and the truce between the forces was ended on the 10th.

#### PREPARATIONS OF OUR ARMY AND NAVY FOR POSSIBLE INTERVENTION.

The United States cruiser *Denver*, which had been sent to Habana at the urgent request of President Palma, arrived in the harbor on Wednesday, the 12th of September. On the next day Mr. Sleeper, chargé d'affaires, and Captain Colwell, after consultation with President Palma and with his entire approval, decided that the conditions required the use of United States forces for the protection of life and property. One hundred and twenty-five marines were therefore landed and encamped in front of the President's palace in Habana. This force was withdrawn the next morning by your order.

It was said that the arrival of the *Denver* and the landing of the marines prevented any movement of the rebels to enter the city. What the fact is in this regard we are not definitely informed. Before we left the United States you had directed a formidable fleet to assemble at Habana, so that within a few days after our arrival there were three battle ships and four or five cruisers in the harbor of that city, while one or two others were in other important ports of the island. The whole force was under the senior captain, Captain Couden, of the *Louisiana*, and he was made subject to our orders. He would have then been able to land, had it been necessary to protect the city, upward of 6,000 bluejackets and marines. No marines were landed in Habana, however, until the establishment of the provisional government. Small bodies had been landed at Cienfuegos and at other points in the island merely to protect important centers where there was American and foreign property exposed to the danger of destruction by irresponsible bands of insurgents. The night before the provisional government was established, President Palma requested a small guard for the treasury, which was landed. Immediately upon the establishment of the provisional government 2,000 marines were sent out to Camp Columbia, 7 miles out from the center of the city of Habana. Five hundred of these were subsequently sent to Cienfuegos, 200 to Pinar del Rio, and 100 into Camaguey.

In anticipation of the possible necessity for intervening in Cuba the General Staff had been directed to prepare careful plans for the immediate organization and transportation of an expeditionary force amounting in all to 18,000 men, and telegraphic orders had been all prepared which could be issued within two hours. The only occasion for delay was the securing of the necessary transports, which it was not thought wise to contract for in advance, because the matter would be certain to be made public, and publicity in our preparation might embarrass us in the bringing about of peace in Cuba. As soon, however, as it seemed likely that the provisional government must be established it was determined that there ought to be an army of pacification in Cuba amounting to upward of 6,000 men, and so the first one-third of the expeditionary force as already planned was transported at once to Cuba, and several regiments had arrived and were stationed at Camp Columbia before we left the islands. We had been advised by the General Staff that between the time of issuing a definite order and the landing of a division of 6,000 men in Cuba it would take about ten days, and this judgment was vindicated by the event.

#### THE TRUCE.

Before we reached the island, as already said, President Palma and the insurgent forces had declared a truce. No rules had been laid down to govern the conduct of the forces during the truce, and grave danger arose of clashes and charges of bad faith. We found it necessary to suggest certain rules, which both sides acquiesced in, to insure peace during the truce and to avoid charges of unfair advantage. We append the correspondence on the subject as Exhibit 7.

#### CONFERENCES.

The substance and results of the many conferences which were held with Doctor Capote, the president of the Moderate party, and Doctor Zayas, the president of the Liberal party, are set out in great detail

in the cable correspondence between you and us, and in the exhibits which we append, as follows:

Exhibit 8. The manifesto of the revolution issued July 28, 1906, before our arrival in the islands.

Exhibit 9. Memorandum of Doctor Capote in reference to a government with a mixed cabinet and a possible compromise.

Exhibit 10. Tentative proposals of Doctor Zayas, made after many conferences, in which we advised him that we should make every effort to retain President Palma as president.

Exhibit 11. Proposal of the National or Nuñista party of bases of compromise.

#### DEALING WITH INSURGENTS.

In reaching a compromise which could be carried out, the greatest obstacle that had to be overcome was the lack of cohesiveness and organization of the insurgent forces, and the uncertainty that there was as to whether any person representing them would be able to make for them binding agreements which all the forces would respect. Dr. Alfredo Zayas was the head of the Liberal party, and the insurgents were all Liberals and were engaged in a Liberal cause in the sense that they were in arms because the members of the Liberal party had been, as they claimed, fraudulently deprived of their rights at the elections. But it seemed to us exceedingly doubtful whether Doctor Zayas could reasonably assure us that any agreement that he might make would bind the leaders in the field. We therefore applied to the Government for a safe conduct for a committee of generals from the insurgent forces in Pinar del Rio, Habana, and Santa Clara to meet us at Marianao, and at the same time secured the presence of the leaders of the Liberal party arrested under charges of conspiracy against the President, who were under detention as political prisoners. After a full conference, the generals and the leaders of the party advised us that they had placed the entire management of the case for the insurgents in the hands of their revolutionary committee, consisting of Doctor Zayas and the leaders of the party in prison, and that anything they might agree to the generals in command and the men in arms would acquiesce in and carry out.

#### PROPOSED COMPROMISE.

We had become convinced by our investigation that the compromise proposed by General Menocal, before we reached the island, with some modifications, was a fair basis for settlement. We were of opinion, from all we could learn, that President Palma would have been elected without any resort to the unfair methods which we believe to have been used under the Moderate secretary of government. We deemed it important, in order to maintain the good name of Cuba, and in order to show that a conservative man was retained in power, to have Mr. Palma remain as President. We thought it would preserve the continuity of the Government under the constitution, and perhaps prevent the injury to the credit of the island which a violent or abrupt change in chief executive would be likely to effect. Señor Palma seemed to us the most disinterested patriot in the island, and while we differed from him in some of his views and found defects in him as a

successful administrator, we saw nothing to detract from his fame as a Cuban patriot and hero. We were certain that if the preliminary election had been fair, and the Liberals had gone to the polls at the final election, they would have been able to return some of their senatorial candidates, some of their candidates for the House of Representatives and some of their gubernatorial candidates, but it was impossible to say how many or which ones. There was no method, therefore, of reaching a satisfactory result, except to have a new election. This compromise would have continued the same chief executive, and in a Spanish country by tradition the power of the executive overshadows every other, whatever the legal relations of one branch to the other. Even if the Liberals should be generally successful in electing representatives and senators at the new election, there would be at least two provinces where the Moderates would be likely to return their candidates, and as they had a majority of the hold-over members of the house the parties would be fairly well balanced in the new Congress, especially if the new electoral law made provision as the constitution contemplated for minority representation. We thought that an election, if the compromise was fully concurred in and carried out in good faith, might be had in three months, and therefore that the remedy of any injustice which had been done with respect to the ayuntamientos, of which the Liberals complained so strenuously, might well await the result of the elections to be held under a new electoral law and new municipal law, in compliance with the requirements of the constitution. We thought that it would be wise to have a commission, consisting of an equal number of Moderates and Liberals, with at least one American on it, to prepare needed laws on the subject of municipalities, elections, independence of the judiciary, and the classified civil service, according to the merit system, so that these laws might be enforced and adopted by Congress, as a matter of course and of previous agreement after they had been settled by the commission. Immediately upon the tender of the resignations recommended, the rebels in arms were to lay down their arms and to disperse to their homes under a general amnesty. It should be said that although we thereafter ventured to intimate to President Palma the wisdom of accepting the tendered resignations of his then cabinet and appointing a nonpolitical one, it was not part of the compromise recommended either to the Liberal or the Moderate party.

On September 24 we explained the compromise to the representatives of the Liberal party, and although there was much objection to the failure to provide for an immediate restoration of the municipal governments and to an absence of a restriction upon President Palma's power to appoint such a cabinet as he saw fit, they indicated the probability of their acquiescence. The same day the proposition was submitted informally to Señor Capote, the head of the Moderate party, who said that he did not think the compromise proposed was a practical suggestion; that the government thus organized would not stand for three months, and that it was a mere patched up affair which simply postponed the evil day. He said, however, when we asked him for the resignations of the members of the Moderate party, which from previous informal assurances of himself and General Andrade we had reason to believe would be forthcoming at our request,

that if we would give him the form of paper tendering their resignations such as we desired in the matter, he would bring it back to us in half an hour, signed. Instead of doing so, however, he sent a letter inclosing a resolution of the Moderate party passed some days before, which agreed to our arbitration of the difficulties if the insurgent Liberals would lay down their arms in advance. Having been advised by Doctor Capote's attitude of the probable unwillingness of the Moderate party to acquiesce in our proposed compromise, we deemed it wise to appeal to President Palma. We sought and had an appointment with him on the night of the 24th, in which we explained as fully as we could the reasons as to our conclusion as to the proper compromise, and asked him to aid us in carrying it out. There was an extended discussion. He maintained that the elections were fair and that we were prejudiced. Finally the President said that it was inconsistent with his dignity and honor to acquiesce in the resignation of members of his party who had been elected on the same ticket with him; that he did not think the compromise, if entered into, would last three months; that it was useless, and that he would not lend himself to it. We then withdrew, with expressions of regret that we could not come nearer reaching an agreement, and the same night we wrote him a letter embodying at length what we had stated to him in the conversation. This letter of September 24 and his answer of September 25, together with further correspondence, will be found in Exhibit 12.

Our formal statement of the compromise suggested to the Moderate Party and their answer are given in Exhibit 13.

Señor Zayas' formal comment on the refusal of the Moderate Party to accept the compromise and suggestion of arbitration is contained in Exhibit 14.

As reflecting on the real desire of the Moderate party to arbitrate their differences, we submit subsequent correspondence in respect to arbitration as Exhibit 15.

The National or Nunista party, and a part of the Moderate party, made an effort to secure a compromise by a modification of that which we had recommended. It came to nothing. Its proposition is included in Exhibit 16.

Meantime President Palma, having announced his intention to resign, summoned the Congress to receive his resignation on the 28th of September. Before Congress met efforts were made to secure an agreement between Liberals and a part of the Moderate party, which failed. We encouraged this effort as far as we could, but without success. A full account of the conferences is given in the cable correspondence between you and us, already appended.

President Palma's message to the Congress conveying his resignation is appended as Exhibit 17.

The strong desire of the Moderates was to secure our intervention, but they were most anxious to do it without incurring the criticism, as a party, which they knew would be directed against them if they were plainly and directly responsible for bringing intervention about. They therefore adopted the method of receiving the resignation of the President and of asking him to withdraw it, and on his failure to withdraw it, of failing to attend the adjourned meeting of Congress

and leaving no quorum. This they did on the evening of September 28, whereupon President Palma sent us the following letter:

REPUBLIC OF CUBA,  
EXECUTIVE MANSION,  
*Habana, September 28, 1906.*

To the AMERICAN PEACE COMMISSION,  
the Hon. WILLIAM H. TAFT and ROBERT BACON.

ESTEEMED SIR: The embarrassing position in which I have been placed through the nonelection of the person who is to substitute me in the office of President of the Republic, the resignation of which I tendered to Congress as irrevocable, compels me to make the following statement:

It is absolutely necessary for me, in order to be relieved of all care, to turn over to a responsible person the national treasury, amounting to \$13,625,539.65.

The militia should also be quickly disbanded. This force was hurriedly organized, and it costs the State several thousand dollars daily.

It is impossible to disband the militia until the rebels have also disbanded, it being therefore absolutely necessary to compel the latter to lay down their arms and return peacefully to their respective homes; otherwise the chaotic condition in which the Cuban people find themselves will continue—business at a standstill, the people uneasy and their lives and property at the mercy of the anarchist, and everyone without confidence in the future.

As a patriot and as a lover of peace and order, who is anxious to see the inhabitants in Cuba enjoy peace again, I have deemed it my duty to make known to you the preceding statement, in order that you may put an end to the present unfortunate conditions of the country.

I reiterate the assurance of my most sincere consideration.

T. ESTRADA PALMA.

After the receipt of this letter we directed the landing of a small squad of marines to protect the treasury, an order which was promptly complied with by Captain Couden; and with your approval the following proclamation was issued the next day, September 29:

#### PROCLAMATION.

##### TO THE PEOPLE OF CUBA:

The failure of Congress to act on the irrevocable resignation of the President of the Republic of Cuba, or to elect a successor, leaves this country without a Government at a time when great disorder prevails, and requires that pursuant to a request of President Palma, the necessary steps be taken in the name and by the authority of the President of the United States, to restore order, protect life and property in the Island of Cuba and islands and keys adjacent thereto, and for this purpose, to establish therein a provisional government.

The provisional government hereby established by direction and in the name of the President of the United States will be maintained only long enough to restore order and peace and public confidence, and then to hold such elections as may be necessary to determine those persons upon whom the permanent Government of the Republic should be devolved.

In so far as is consistent with the nature of a provisional government established under the authority of the United States, this will be a Cuban Government conforming, as far as may be, to the constitution of Cuba. The Cuban flag will be hoisted, as usual, over the government buildings of the island. All the executive departments and the provincial and municipal governments, including that of the city of Habana, will continue to be administered as under the Cuban Republic. The courts will continue to administer justice, and all laws not in their nature inapplicable by reason of the temporary and emergent character of the Government will be in force.

President Roosevelt has been most anxious to bring about peace under the Constitutional Government of Cuba, and has made every endeavor to avoid the present step. Longer delay, however, would be dangerous.

In view of the resignation of the cabinet, until further notice the heads of all departments of the central government will report to me for instructions, including Maj. Gen. Alejandro Rodriguez, in command of the Rural Guard and other regular government forces, and Gen. Carlos Roloff, treasurer of Cuba.

Until further notice the civil governors and alcaldes will also report to me for instructions.

I ask all citizens and residents of Cuba to assist in the work of restoring order, tranquillity, and public confidence.

WM. H. TAFT,

*Secretary of War of the United States, Provisional Governor of Cuba.*

HAVANA, September 29, 1906.

At noon of Saturday, September 29, 1906, and before the proclamation was published, we called and paid our respects to President Palma, who had seen the proclamation. He expressed himself as very much pleased with the proclamation, and said he thought it was the only possible solution. President Palma remained in the palace until the following Tuesday, when he and his family went to Matanzas to make their home. We append as Exhibit 18 correspondence had with him regarding his departure.

#### SURRENDER OF INSURGENTS.

At the same time that the proclamation was issued the revolutionary committee of the Liberal party signed the following communication:

HABANA, September 29, 1906.

Hon. WM. H. TAFT,

*Secretary of War of the United States,*

*Provisional Governor of Cuba.*

SIR: With the understanding that the provisional government this day established in Cuba intends to carry out, in so far as the same may be applicable to the changed conditions, the bases of settlement which the peace commissioners recommended to both the Moderate and Liberal parties, including a general amnesty for political offenses, the undersigned, representing the insurgent forces in the field by proper delegation, hereby agree on behalf of such insurgent forces that they will at once lay down their arms, return to their homes, restore the property which was taken by them for military purposes and which is now in their possession. We request the appointment of a commission by the provisional governor to meet a similar commission appointed by us to arrange the details for the surrender of arms and property and the return of the men to their homes.

ALFREDO ZAYAS.

JUAN GUALBERTO GOMEZ.

JUAN GOMEZ.

PELAYO GARCIA.

CARLOS GARCIA VELEZ.

JOSÉ DE J. MONTEAGUDO.

DEMETRIO CASTILLO.

MANUEL LOZA.

To which the following reply was sent:

HABANA, September 29, 1906.

GENTLEMEN: I am in receipt of your communication to me agreeing that the insurgent forces now in the field will surrender their arms and disperse to their homes, and asking me to appoint a commission to meet with the commission appointed by you for the purpose of arranging the details of the surrender.

Expressing my gratification at this conclusion, and complying with your request, I beg herewith to appoint as Commissioners for this purpose Brig. Gen. Frederick Funston, U. S. Army, president; Gen. Mario G. Menocal, Gen. E. Sanchez Agramonte, Col. Carlos Hernandez, Maj. E. F. Ladd, U. S. Army, First Lieut. Burton J. Mitchell, Twelfth Infantry, U. S. Army, a. d. c., recorder.

This letter will be brought to you by General Funston, who will confer with you as to the meeting of the two commissions. It is of the highest importance that no time should be lost in this matter.

Very respectfully,

WM. H. TAFT,

*Provisional Governor of Cuba,*

SEÑOR ALFREDO ZAYAS AND OTHERS OF THE REVOLUTIONARY COMMITTEE.



The result of the conferences and of the efforts which were made zealously by many to avoid intervention and the establishment of a provisional government, and the evident impossibility of reaching an agreement that would be satisfactory to all, seemed to have made our action in establishing the provisional government one in which all parties rejoiced. The Liberal party had wished to avoid it, but were glad to have it brought about in such a way that it could be charged to the Moderate party and on a basis which recognized the justice of the complaints which they had made. The Moderate party was always in favor of intervention and was glad to have it come, though they had sought to escape responsibility for it.

Since we left Cuba, Governor Magoon, on December 3, under your direction, in compliance with the agreement with the Liberal party by which the surrender was secured, has vacated the seats of the senators and congressmen elected in 1905 and 1906. The decree is appended as Exhibit 19.

#### DISARMAMENT.

The provisional government having been established and the representatives of the insurgent forces having signed an agreement to surrender, the next and all-important business became that of disarming and dispersing the insurgent forces. A hardly less important and difficult matter was the disarmament and discharge of the militia, which had given President Palma much concern. The militia in many towns were even more unruly and less disciplined than the insurgents. The disarmament and dispersing of these two forces occupied the greater part of the next two weeks and were attended by many difficulties. Under the agreement of surrender the insurgent forces were required to deliver not only their arms, but also any property which they had in their possession which they had taken for military purposes without right. This embraced substantially only the horses.

When the disarmament committee came to consider the details of disarmament, some question was raised with respect to allowing men who owned their own guns to retain them. Whatever the probability that they would do so, it seemed of the utmost importance that they should not have the right to do so, because we did not wish in any way to interfere with the power of the rural guards subsequently to seize arms where they found them. This view was enforced in a note sent to every member of the revolutionary committee, and to every member of the disarmament committee. It is hereby appended as Exhibit 20.

The question of the horses proved to be more difficult to settle. The circumstances are explained in our cables to you and the reports of General Funston and Major Ladd. The matter was covered by a decree, a copy of which is appended hereto, marked "Exhibit 21."

The procedure provided in this decree has not been availed of in many instances, and the expense incurred by the provisional government, which it was feared might reach a large sum, seems likely to be comparatively inconsiderable. Of course the question whether the Cuban Government is responsible for damages inflicted by the insurgents through the appropriation of cattle and horses and other property, which can not now be recovered, is a very different question, and one to be settled hereafter. The decision of the Spanish Claims Com-

mission in similar cases would seem to indicate that there is no such liability of the government.

The details of the disarmament and dispersing of the insurgents will be found in reports of General Funston and Major Ladd, appended hereto, marked "Exhibit 22."

A general amnesty was the condition of every proposed compromise, but there was some discussion as to what it ought to cover. On the one hand, one of the chief assistants and friends of Gen. José Miguel Gomez, named Villuendas, had been killed in the town of Cienfuegos in pursuance of what was claimed by the Liberal party to be a plot against his life by a leading Moderate Senator of Santa Clara and others. On the other hand, a number of Liberals had been arrested for complicity in the killing of certain rural guards which took place in an attack upon a rural guard station at the beginning of the insurrection. It was thought wise to avoid the necessary bitter political feeling and excitement which would be caused by a trial of either of these cases in court, and it was decided that those who had been arrested for complicity in either alleged crime were really engaged in political crimes more or less connected with the present troubles and might properly be included in the amnesty. The decree of amnesty is appended hereto and marked "Exhibit 23."

The condition of the Cuban treasury is shown by a report of Major Ladd, who was directed to count the cash and examine the budget. His report is appended hereto and marked "Exhibit 24."

The Americans on the Isle of Pines came to see us before the establishment of the provisional government, and at our instance Consul-General Steinhart made representations to Secretary Montalvo by which certain rigorous police measures, enforced by the agents of the government in the excitement of the insurrection, were discontinued. Subsequently a delegation was appointed by the American residents of the Isle of Pines who came to Habana and presented a petition asking for certain action by the commission looking to the separation of the Isle of Pines from Cuba and the establishment of an independent government. To this we made a positive answer that it was quite beyond our jurisdiction or duty to consider for a moment the separation of the Isle of Pines from the jurisdiction of the Cuban Government while we were administering the Cuban Government as a trust for the Cuban people. We append as Exhibit 25 a copy of Mr. Taft's indorsement on the correspondence.

Very soon after the provisional government was established, the leaders of the Liberal party began to intimate that the Moderate party had all the offices and the opportunities for influencing the provisional governor and that there ought to be a change in this respect. The Liberals have been uniformly advised that it was not the intention of the provisional government to oust faithful public servants to make places for Liberals, however deserving; that when vacancies occurred by resignation or removal of unfit persons, we recognized the greater preponderance of Moderates, and would prefer Liberals until an equality was restored.

Immediately after the establishment of the provisional government the University of Habana was opened, and in accordance with the time-honored custom the executive head of the island government was invited to be present and take part in the conferring of the degrees.

The invitation was accepted, and the opportunity was taken to make a fuller statement than the proclamation could contain of the purpose of the United States in taking the action which had been taken. The address was translated into Spanish and published in all the newspapers of the islands, and was accepted as a semiofficial statement of the position of the provisional government and the United States toward the Cuban Republic. We therefore append a copy of this address as Exhibit 26.

Upon October 13 Mr. Taft issued a proclamation turning the government over, by your direction, to Governor Magoon, and Governor Magoon assumed office as provisional governor and issued the following proclamation:

REPUBLIC OF CUBA.

(UNDER THE PROVISIONAL ADMINISTRATION OF THE UNITED STATES.)

PROCLAMATION.

TO THE PEOPLE OF CUBA:

Acting under the authority conferred upon him by the appendix to the constitution of Cuba, by the treaty between the United States and Cuba, ratified July 1, 1904, and by the act of Congress of the United States approved March 2, 1901, the President of the United States has appointed me provisional governor of Cuba, to succeed the Hon. Wm. H. Taft, and I hereby assume that office.

The policy declared and the assurances given by my predecessor, Secretary Taft, will be strictly adhered to and carried out.

As provisional governor I shall exercise the powers and perform the duties contemplated and provided for by the third article of the appendix to the constitution of Cuba, for the preservation of Cuban independence, and for the protection of life, property, and individual liberty.

As soon as it shall prove to be consistent with the attainment of these ends I shall seek to bring about the restoration of the ordinary agencies and methods of government under the other and general provisions of the Cuban constitution.

All provisions of the constitution and laws, the application of which for the time being would be inconsistent with the exercise of the powers provided for by the third article of the appendix, must be deemed to be in abeyance. All other provisions of the constitution and laws continue in full force and effect.

CHARLES E. MAGOON,  
*Provisional Governor.*

OCTOBER 13, 1906, 12 o'clock noon.

Since that time the tranquilization of the country has been going on, and while it has been slow, it has been steady.

MILITARY DISPOSITIONS.

During the last week of our stay in the island the expeditionary force of 5,600 men was landed, and Brigadier-General Bell, the Chief of Staff, was put in temporary command for the purpose of organizing an army of pacification, distributing it through the island at proper points in order that it might furnish the basis of confidence and stability of the provisional government, garrisoning the larger towns and leaving to the rural guards—a very efficient force for the purpose—the duty of chasing and suppressing the small predatory bands which the dispersing of so large a force of insurgents and militia was almost certain to cause. Two thousand marines which had been landed by the naval vessels were incorporated in the army of occupation for the time being. One-half of that force has now been withdrawn, but a full provisional regiment of marines, acting under the commander of the whole forces, is still rendering efficient service.

## GREAT ASSISTANCE FROM THE NAVY AND MARINES.

We ought not to close this report without testifying to the great benefit which the presence of a formidable naval force gave us in effecting a peaceful conclusion and the very prompt and efficient cooperation which Captain Couden, of the *Louisiana*, Captain Schroeder, of the *Virginia*, and all the officers and men of the fleet, together with Colonel Waller and Lieutenant-Colonel Barnett, and other officers of the Marine Corps, rendered whenever called upon. The marines sent out to the various parts of the island were exposed to many trying situations, but at no point did they fail. They exhibited the courage and the self-restraint, rarer than courage, which was absolutely necessary to avoid conflict during the period of disarmament, when it was as difficult to disperse the raw militia with guns in their hands as it was the insurgents.

## CONCLUSION.

On the whole, and to sum up the purpose of our going and what was done, we repeat that we went to Cuba for the purpose of securing peace; that when we went we knew the island was divided between two hostile and armed forces, and we desired to avoid a conflict between them for the reason that it would cause loss of life to the Cubans and a great destruction of property, a large part of which belonged to American citizens, and it would necessarily require the intervention of American troops and the expenditure of American lives and treasure. If the insurrectionary habit persists, if again the Cubans divide into armed forces, the strong hand of our Government will have to be imposed at whatever cost to life and property, and permanent peace should then certainly ensue because it should be of our own keeping.

We hope, however, that no such drastic remedy will be needed and that the lesson taught in this recent experience of the evil of unjust methods in elections will not be without its warning to future governments in Cuba. With the passage of proper laws for municipal governments, for elections, and for the independence of the judiciary, and with the holding of a fair election under the auspices of the United States for the vacancies effected in accordance with the compromise recommended, we are very hopeful that the Cuban Republic may be restored on even a more permanent basis than that which she enjoyed during four years of prosperity under President Palma.

WM. H. TAFT.  
ROBERT BACON.

## EXHIBITS.

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[Cablegram received.]

### EXHIBIT 1.

OYSTER BAY, N. Y., *September 20, 1906.*

TAFT, *Habana:*

Is it possible to institute investigations to see what Americans, if any, have been furnishing funds to the revolutionists?

THEODORE ROOSEVELT.

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[Cablegram sent in cipher.]

HABANA, *September 20, 1906.*

The PRESIDENT, *Oyster Bay, N. Y.:*

Arrived yesterday in the morning. Have seen Palma and Government party leaders; also the Liberal party leaders backing insurrection. The situation is most serious. The Government controls only coast towns and provincial capitals. Anarchy elsewhere. The people of the interior seem to fraternize with the insurgents. Indeed, the people of both the country and the city seem to favor the insurgents by a large majority. This may be temporary only. The insurgent forces aggregate, possibly, 10,000 or 12,000, and with old arms and insufficient ammunition. Ladd and Cairns have both made visits of observation to insurgent camp, and our judgment based on their reports. Santiago Province, usually insurgent province because largely negro, has not yet risen, but is probably about to do so. This will largely increase insurgent force. As yet not much destruction by insurgents, but certain to come. They live wholly on the country, and must move to live. They take horses, fruit, food, cattle, and pigs, giving scrip for same. By burning sugar plants and the sugar cane, which is now drying up, the insurgents could destroy one hundred million in ten days. Truce now declared by both sides being fairly well kept, but can not say how long it can be maintained. Great lever of insurgents is power to inflict irreparable damage whether we intervene or not. Great issue is as to last election of half the house and half the senate. The insurgents insist on its annulment. Palma and party insist this unconstitutional, and Palma says it reflects on his honor. Menocal, representing the veterans, planter's interests, and impartial, suggested resignation of certain senators and representatives. Declined by Government before our arrival. The insurgents profess willingness to defer to your wishes, but that can only be taken with qualification.

Have asked both sides for written points and suggestions of settlement. Shall have them both to-morrow morning. Bacon and I do not feel that we know enough of the entire situation to suggest a solution yet. Will keep you advised of progress made, if any. Have directed Cairns to investigate as fully as possible the question you put in your telegram of to-day.

TAFT.

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[Cablegram sent in cipher.]

HABANA, *September 21, 1906.*

The PRESIDENT, *Oyster Bay, N. Y.:*

With the assistance of Cairns and Ladd, and interviews we have had in last two days, our information as to the situation has increased greatly in accuracy and detail. It becomes clearer and clearer that present government under Palma can not maintain itself. It has about 5,500 rurales, 600 artillerymen, some militia, and

the municipal police of Habana, but these are spread all over the island, about 3,000 being in the city of Habana. Artillery mostly in the city.

The Government has had much difficulty in recruiting, notwithstanding that it pays \$2.50 a day to recruits. It is quite probable, and the Government authorities expect that, should an attack be made on Habana, one-half of the Habana police force will join the insurgents. Within 5 miles of the city there is a force of 1,500 men, and within 20 miles, marching towards the city, there are 4,000 or 5,000. The truce is not being kept squarely on either side. The Government is perfecting blockhouses and attempting to mobilize. The insurgents are concentrating their troops near Habana. In addition to this there is a large force of insurgents in Santa Clara and other provinces, making force of insurgents in arms possibly 12,000, some with good arms, others with poor arms and with ammunition insufficient. We shall have definite statements with reference to sources of supplies for insurgents at noon. Know in advance that there were practically no American contributions, except some small sums from the Isle of Pines, but substantially all the money was by local contribution. Of course the fund is being added to by blackmail of property owners in fear of injury to their property. It is quite evident that no American interests in New York or elsewhere have initiated movement or contributed to its success. But for landing of troops of the *Denver* and publication of your letter, it is extremely probable that the insurgents would now be in control of Habana, with all the destruction and disaster that would have been certain to follow, not so much from the insurgents themselves as from mob which would have taken control.

The Palma government lacks moral support of large majority of the people, and is without adequate preparation. Palma himself told us (and this is confirmed by information got directly from the chief of the secret police) that ramifications of this movement as a conspiracy were brought clearly to the knowledge of him and the government six months ago, and that no action was taken to avoid its necessary effect.

We can not maintain the Palma government except by forcible intervention against the whole weight of public opinion in the island.

The Palma government, through its then minister of government, Andrade, openly used and abused its power to carry elections, and in doing so removed many municipal officers in many parts of the island. Undoubtedly it is usual for the government in such countries to attempt to control the election in its interests, but the open way in which it was here done seems to have made a deep impression on the minds of the people, especially because it was accompanied by wholesale removals from office. There are two elections under the law. The first or preliminary election is for the selection of the tribunal to determine the main elections. It was in the preliminary elections that such fraud and violence were practiced as to lead the Liberals to withdraw their candidate from main election. It is quite probable that the Liberals would have done the same thing as the Moderates had the power been theirs, but I can not think they would have done it in such an open way, entirely unnecessary to accomplish the purpose. If the present government could maintain itself, or if it had a moral support or following which would be useful in case of intervention, Bacon and I would be strongly in favor of supporting it as the regular and constitutional government, because the election was held under forms of law and has been acted upon and recognized as valid, but the actual state of affairs is such that we would be fighting the whole Cuban people in effect by intervening to maintain this government.

The insurgents, without our intervention, could drive the government out of Habana, and should they enter there would probably be an uprising in their favor. Is it not wiser, therefore, to continue the form of the present government by the resignation of the President and other officials and the succession of a temporary executive under the provisions of law?

We can possibly secure for this temporary executive, by agreement, a person indifferent between the parties and not closely affiliated with either party, who will have conservative tendencies. We shall try to procure the continuance of Palma in office with a new cabinet if possible, but there are two difficulties connected with this—first, that the insurgents are not likely to agree to it, and second, it is doubtful whether Palma would be an instrument in our hands for this purpose under the conditions which must accompany the arrangement, the chief of which are the resignation of one-half of the senate and one-half of the house elected at the last election and the restoration of the municipal officials who were removed from office by Andrade.

The compromise should also include the enactment of a municipal law required by the constitution, a duty violated by the Moderates in order to continue the Spanish

concentration of power, and also a law making judges of the first instance irremovable, as required by the constitution. New electoral law will be required to square with new municipal law, and a further condition should be an election within a reasonable time to fill the vacancies occasioned by the resignations. We do not know that we can enforce this compromise with the Moderates; think we can. Everything, however, must be dependent upon the condition that immediately upon entering into agreement, and the resignations in accordance with it, the insurgents in arms shall disband, and that a failure within five days to fulfill this condition will lead to forcible intervention by the United States. It seems to us in this way we put the insurgents in a position utterly indefensible if they remain in arms, and that we shall then probably be able to secure much more moral support from the people in the island if we have to intervene. At any rate, we shall have made every effort to avoid intervention, and coming as it then does after such an effort, it then remains for the United States to do its duty.

A conference is to be held this morning with Zayas, the leader of the Liberals, and to-morrow morning with military generals in charge of insurgents, and we should like your authority to say to them that a further movement toward or attack on Habana—for they are now within 2½ miles of the suburbs of the city and within that distance from the city waterworks—will be regarded as justification for forcible intervention, and secondly, that if they can not comply with the conditions along the lines above stated, which we deem reasonable, that then we shall move our forces into Habana. It may be under authority vested in me by Bonaparte's order I may find it necessary to land forces before hearing from you. I hope and think not. I need not say an early reply to this will be of assistance.

TAFT.

[Cablegram sent in cipher.]

HABANA, September 21, 1906.

The PRESIDENT, *Oyster Bay, N. Y.*:

I notified insurgents that if they approached nearer to Habana I should order landing of force from seven warships in harbor. They at once withdrew to a proper distance.

TAFT.

[Cablegram received.]

OYSTER BAY, N. Y., September 21, 1906.

TAFT, *Habana*.

I approve entirely your plan. I suggest, however, that if you have to land troops in Habana you will avoid the use of the word "intervention" and simply state that they are landed to save life and property in Habana.

In view of what you say, think it manifestly impossible for us to try to sustain Palma, and I doubt if it will be wise to try to keep him temporarily in office. As I understand your plan, it is, in substance, to tell the insurgents and the Moderates alike that they must put in some acceptable man or men to continue the government temporarily and take steps to remedy the wrongs committed at the last election, these steps including a new election. I do not see how the insurgent chiefs can object to this; and if they do, it seems to me they put themselves out of the pale. In any event I authorize you to use your discretion if you have to act so quickly that you can not communicate with me, and in such case you can of course count on my absolutely standing by you; but equally of course I desire, if possible, that you communicate with me before taking such final steps as will irrevocably commit us to intervention.

THEODORE ROOSEVELT.

[Cablegram sent in cipher.]

HABANA, September 22, 1906.

The PRESIDENT, *Oyster Bay, N. Y.*:

Dispatch received. The government party, known as Moderates, have passed resolution submitting to any solution of the difficulty that Bacon and I will approve and informally have consented to resignation of members of the House and Senate, all on condition that rebels lay down their arms and disperse. I am arranging to

meet representatives of Liberal party from all insurrecto provinces, together with the leading generals in the field, in order to secure appointment of committee with authority to act. Shall probably be met with discouraging difference of view at first, but I am hopeful that patience will result in agreement of delegation of authority. I have received tentative proposals of settlement from Zayas, leader of the Liberal party, which indicates probability of reasonably satisfactory compromise.

*Minneapolis* and *Newark* arrived this morning. Bacon strongly of view that we should keep Palma in Presidency if possible. Forcible argument in favor of this view are constitutional continuity of government, honesty of Palma, confidence of business interests in his honesty, absence of suitable material of eligible age in the Moderate party, and absence of available material in Liberal party for the place; considerations supporting this view. Lack of force and danger of lack of harmony with mixed elements that must enter his cabinet, are reasons against his continuance. On the whole inclined, however, to believe that if his continuance can be secured it is wiser.

TAFT.

[Cablegram received.]

OYSTER BAY, N. Y., *September 22, 1906.*

TAFT, *Habana:*

I am much pleased with your telegram. Of course if the continuance of Palma can be secured I think it would be best, but I am afraid you will find difficulties in the way.

THEODORE ROOSEVELT.

[Cablegram received.]

OYSTER BAY, N. Y., *September 22, 1906.*

TAFT, *Habana:*

I repeat my entire approval of your proposal. Put in some temporary executive and then carry out the plan of action you outline in your cable, including the resignation of one-half of the senate and one-half of the house, the restoration of the municipal officers improperly removed, and a new election under new electoral law. The Moderates must accede to these terms, because they would fall like a house of cards and without an effort if we turned against them.

As for the insurgents, have it understood that you will land troops at once in order to protect life and property in *Habana*, or in any other city if they approach nearer than you think they ought to.

But if they object to the terms you offer, I would not offhand send an ultimatum that unless they accede within five days the United States will forcibly intervene.

I would suggest that before sending the ultimatum we invite counter proposals from them. It is not only important to try to get them to come to an agreement, but it is important from the standpoint of public sentiment here that we shall make it plain that we are exhausting every effort to come to an agreement before we intervene.

THEODORE ROOSEVELT.

[Cablegram sent in cipher.]

*HABANA, September 23, 1906.*

The PRESIDENT, *Oyster Bay, N. Y.:*

Had meeting last night of all prominent leaders of insurrection in the field, together with revolutionary committee. They have appointed a committee with whom we begin conferences to-day. Hopeful of situation, but not confident.

TAFT.

[Cablegram sent in cipher.]

*HABANA, September 24, 1906.*

The PRESIDENT, *Oyster Bay, N. Y.:*

Have substantially agreed with Liberals and insurgents on terms already indicated. Doubt now as to agreement of Moderates and Palma. I hope you will send telegram



direct to Palma on receipt of this, calling on him to make sacrifice for his country and acquiesce in my proposal that he continue as President. We meet him to-night. Will wire you later to-night.

TAFT.

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[Cablegram sent in cipher.]

HABANA, *September 24, 1906.*

(Sent 4 a. m., September 25.)

THE PRESIDENT, *Oyster Bay, N. Y.:*

Palma absolutely declines to help us secure a compromise with the Liberals by remaining in office. The plan merely required Palma to appoint a cabinet without regard to the politics of its members. Palma maintains that for him to remain in office while his party supporters in the house and senate resign would be inconsistent with his dignity and honor and that a peace thus made will not last three months. He and his cabinet say that the only course open to the United States is war with the insurgents and future control. The Moderate party will not agree to abide by our decision and plan of resignations of offices filled at last election unless the rebels lay down their arms in advance. I fear the rebels will not consent to this. We thought the arms might be laid down when the resignations were presented. It is quite evident that Palma, and I fear the Moderate party, are determined to force armed intervention by us. The situation is most serious. It is very hard to find a suitable man for President if Palma resigned and still more difficult to secure his election by congress which is in the hands of the Moderates. Capote, the vice-president and head of the Moderate party, is an able man but has not the public confidence. He says he will resign if Palma does. We shall ask the rebels' consent to the condition of the Moderate party as to laying down arms to-morrow morning and advise you. Meantime we await more ships and suggest immediate mobilization of troops.

TAFT.

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[Cablegram sent in cipher.]

HABANA, *September 24, 1906.*

The PRESIDENT, *Oyster Bay, N. Y.:*

As a matter of precaution Bacon and I think you should send at once as many more vessels as convenient, with men to protect property.

TAFT.

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[Cablegram received.]

OYSTER BAY, N. Y., *September 25, 1906.*

TAFT, *Habana:*

I am of course greatly concerned at the news. If it is the obstinacy of Palma and the Moderates which is causing all the trouble I greatly fear that the mobilization of troops would merely strengthen them in their course.

Instead of my cabling direct to Palma, I authorize you to sign for me, and, if in your judgment wise, deliver the following telegram:

"PRESIDENT PALMA:

"I most earnestly ask that you sacrifice your own feelings on the altar of your country's good and yield to Mr. Taft's request by continuing in the Presidency a sufficient length of time to, in his judgment, inaugurate the new temporary government under which the arrangements for peace can be carried out. I sent Mr. Taft and Mr. Bacon to Cuba on your repeated telegrams stating that you would resign; that this decision was irrevocable, and that you could no longer carry on the Government. It is evident that under existing circumstances your Government can not stand, and that to attempt to maintain it, or to dictate your own terms about the new government merely means disaster and perhaps ruin for Cuba. Under you, for four years, Cuba has been an independent Republic. I adjure you, for the sake of your own fair fame, not to conduct yourself so that the responsibility, if such there be, for the death of the Republic can be put at your door. I pray that you will act so that it shall appear that you, at least, have sacrificed yourself for your country,

and that when you leave office you leave your country still free. You are then not responsible if further disaster should unhappily overtake Cuba. You will have done your part as a gentleman and a patriot if you act in this matter on the suggestion of Mr. Taft, and I most earnestly beg you to do so.

"THEODORE ROOSEVELT."

I also authorize you to vary the phraseology of the above if you think it is important.

On the other hand, point out to the insurgent chiefs that this is their last chance; that additional warships are coming; that the army is being mobilized, and that if we are obliged to intervene in Cuba now and act against the insurgents that no matter what destruction they may temporarily cause, and no matter how much delay there may be, the ultimate putting down of the insurrection is an absolute certainty, and that if this is done they will forever stand as the authors of the destruction of the Republic—as the people who, when Cuba was free and independent, by their own wicked act reduced her to a condition of dependence.

THEODORE ROOSEVELT.

NOTE.—The telegram from President Roosevelt to President Palma, as set forth in the foregoing cablegram, was modified by Secretary Taft to read as follows: (The Secretary's language is italicized:)

PRESIDENT PALMA:

"I most earnestly ask that you sacrifice your own feelings on the altar of your country's good, and yield to Mr. Taft's request by continuing in the Presidency in accordance with the plan suggested by Mr. Taft and Mr. Bacon or any practicable modification which you can suggest, under which the arrangements for peace can be carried out. I sent Mr. Taft and Mr. Bacon to Cuba on your repeated telegrams stating that you would resign; that this decision was irrevocable, and that you could no longer carry on the Government. It is evident that under existing circumstances the Government, executive and legislative, as now constituted, can not stand by itself, and that to attempt to maintain it merely means disaster and perhaps ruin for Cuba. Under you, for four years, Cuba has been an independent Republic. I adjure you, for the sake of your own fair fame, not to conduct yourself so that the responsibility, if such there be, for the death of the Republic can be put at your door. I pray that you will act so that it shall appear that you, at least, have sacrificed yourself for your country and that when you leave office you leave your country still free. You are then not responsible if further disaster should unhappily overtake Cuba. You will have done your part as a gentleman and a patriot if you act in this matter on the suggestion of Mr. Taft, and I most earnestly beg you to do so.

"THEODORE ROOSEVELT."

[Cablegram received.]

OYSTER BAY, N. Y., September 25, 1906.

TAFT, Habana:

I have been thinking over your telegram. If we are forced to intervene by obstinacy of Palma and Moderates then it is well worth while considering whether our intervention should not be aimed at them—that is, whether we should not notify them that (we will) take possession of the ports, establish a temporary government, and notify the insurgents that if they will at once lay down arms we will agree to a new election and to the other conditions on which you have already agreed with them. What do you think of this?

THEODORE ROOSEVELT.

[Cablegram sent in cipher.]

HABANA, September 25, 1906—5 p. m.

THE PRESIDENT, Oyster Bay:

Palma has notified us that he will resign and we are advised that the vice-president, all the cabinet, and all the congressmen in the Moderate party will resign, leaving nothing of the Government. I think there is nothing to do but to issue a proclamation stating that as the only constituted government in the island has abdicated, it is necessary for you, under the Platt amendment, to assume control of the island and establish a provisional government and name some one as governor, giving him such powers as may be necessary to preserve law and order, suppress insurrection, and continue the

ordinary administration of the government until a more permanent policy may be determined. It would be well to authorize me to issue the proclamation in your name.

Your suggestion in telegram of to-day in regard to Liberal party we have some doubts about. The situation has now so changed that a tentative compromise would have but little application to the present exigency. I should like your authority, as soon as it is necessary to assume the government, to order government forces landed to protect property.

Would it not be well to send for the leaders of the insurgents and tell them that the conditions have changed; that they are in arms against the United States, have no grievance, and must lay down their arms and return to their homes, and that amnesty will be granted them if they do.

TAFT.

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[Cablegram received.]

OYSTER BAY, September 25, 1906.

TAFT, *Habana*:

I do not understand how conditions have changed so completely. It seems to me that the thing to do is to land troops and temporarily assume the functions of the government, but to say nothing about suppressing insurrection, and, on the contrary, to have an agreement with the insurrectionary leaders to the effect that we are merely taking Palma's place to do what they had said would be entirely satisfactory to them in their conversation with you. It seems to me that under the Platt amendment it is at least doubtful whether the resignation of the regular government would not amount to substituting the hitherto insurrectionary party as the government de facto. At any rate I am inclined to think that unless you have reason to the contrary of which I am ignorant, it would be better to proceed with the insurrectionists along the exact lines that you have proposed, simply notifying them that as Palma will not act, we will appoint some man to act in his place until the plan you have sketched out and to which they have agreed can be put through. I am certain that we wish not merely to act, but to make it conclusively appear that we do act with the most evident good faith in our effort to keep an independent Cuban government, and to exhaust all possible means of effecting this purpose before we go into the business of armed intervention and face the destruction of property and the harrassing warfare that would necessarily follow. I do not understand why this plan I speak of is not feasible now, unless the insurgents have changed their attitude from what it was forty-eight hours ago, when as you telegraphed me, they acceded to your proposals. I do not believe we should, simply because Palma has proven obstinate, put ourselves in the place of his unpopular government and face all the likelihood of a long drawn-out and very destructive guerrilla warfare. Certainly I do not think this should be done unless we can make it clear that the insurgents will not act reasonably. As I say, there may be reasons that I do not know why what I now suggest is not feasible, but if so, I wish you would cable me.

THEODORE ROOSEVELT.

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[Cablegram sent in cipher.]

HABANA, September 25, 1906.

THE PRESIDENT, *Oyster Bay, N. Y.*:

Palma and vice-president and cabinet present their resignations to congress on Friday, which will then dissolve.

TAFT.

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[Cablegram sent in cipher.]

HABANA, September 26, 1906.

THE PRESIDENT, *Oyster Bay, N. Y.*:

Yesterday morning had interviews with both Capote, head of the Moderate party, and Zayas, the head of the Liberal party. Capote came in to say that he had much influence with his party and could make them do what he wished and that he wished to do as I would like. I said I would like them to agree to the compromise we had proposed and which I hoped the Liberals would agree to. He said that was impossible,

but that they would do anything to throw the Government into our hands. I said that that was just what we were struggling to avoid, and I sincerely hoped the Government would continue and that the President would not resign.

Subsequently Zayas came in. I told him that the Moderate party would not accept our suggestions of compromise. He then said that he would make an effort to see whether his people would not agree to an arbitration as originally proposed by the Moderate party, arms being laid down in advance.

I said that the Moderate party would not wish to arbitrate after our proposed compromise. He said he thought they would rather accept this compromise by arbitration than by agreement. I said that if the Liberals arbitrated they must not necessarily expect a decision in accord with our present suggestion, because we should in an arbitration review the whole matter in a quasi judicial way and were quite likely to reach a different conclusion. He said he understood that. After he left Fonta y Sterling, secretary of the treasury and one of the best men in the island, came with a letter from Palma answering ours, in which we had outlined at length the solution which we proposed by way of compromise and concession and our reasons, urged him to stay in as President, with a cabinet selected without regard to party, and asked for suggestion of any other compromise which might seem likely to secure acceptance. Palma took issue with some of our statements, and declined to assist in or accept the compromise, as offensive to his personal dignity and honor, and announced his intention irrevocable to send his resignation to Congress.

This was followed by news that the leaders of the Moderate party, including Palma, had decided to scuttle—that is, to resign to Congress and then to dissolve Congress without electing a President, and thereby force a provisional government. Zayas returned after this and I told him that he need not work further on arbitration because of this news. He denounced the Government as deserters and expressed his great disappointment, but after a good deal of talk he said that under the circumstances he believed the insurgents would lay down their arms, and that he would come in this morning to talk further about it.

The truth is that our suggestion as a basis of compromise seems to be thought a great victory for the Liberals, although it could only result in a balance of political power in the senate and house and left with Palma the executive, which, if he were a man of force and ability, would be the most important branch of the Government in this Spanish country.

In a characteristic way, however, Palma and the Moderates will now take away their dolls and not play. They are now abusing us and are taking the ground that it was our duty to sustain the Government at all hazards and put down the insurrection at all cost, forgetting that they had already proclaimed one truce with the rebels for negotiations through General Menocal and proclaimed another truce before we landed in the island.

No one can be more impatient of armed resistance to constituted government than I, and no one more conscious of the dangerous precedent of temporizing and compromising with rebels, but we did not make and were not responsible for the situation which we found.

The Government was in a state of collapse, Habana at the mercy of the insurgents, anarchy in the island, and we came here as intermediaries between armed forces to secure peace and prevent a war which circumstances would have rendered disastrous to Cuban interests for a decade. We could only mediate by conferring with both sides. We could not mediate with the Government only; we could not effect a compromise that conformed only to the views of the Government; we must make concessions to the rebels.

That is a bad precedent, but we did not cause it. It was inherent in the situation and the nature of our mission. The full Moderate party held a meeting yesterday afternoon and unanimously decided to take the course already indicated—that of resignation and dissolution.

They send us a letter this morning, written by Capote, in which the reasons for their rejection of the compromise will be set forth. Without being certain of anything in this country, we are hopeful that Zayas's proposal to the insurgents to lay down their arms may be accepted. This of course is the great step, and nothing should be done to prevent it. To bring it about it must appear in our proclamation that our provisional government is only because of the abdication of the regular Government at a time of great disorder; that it will last only so long as may be necessary to restore order thoroughly and by proper elections to determine the persons who should assume again under the constitution of Cuba its government, and that during its incumbency it will in every respect possible and consistent with its temporary and emergent nature conform to the constitution so as to interfere in the least degree possible with the continuity of the life of the Republic.

With this assurance I am hopeful the rebels will lay down their arms because they will claim that they have won. If they do, I should think we might certainly finish up matters in six months and perhaps less.

The even remote possibility suggested in your telegram of last night, that under any possible hypothesis the Platt amendment may require the present insurrectionary force to be treated as a government *de facto* makes me shiver at the consequences. It is not a government with any of its characteristics, but only an undisciplined horde of men under partisan leaders. The movement is large and formidable and commands the sympathy of a majority of the people of Cuba, but they are the poorer classes and the uneducated. The Liberal party, which is back of the movement, has men of ability and substance in it, but they are not titular leaders of the insurgent forces in whom such a government *de facto* must vest if in anybody. The change in circumstances which makes the particular compromise inapplicable is the dissolution of Congress, the continuance of whose legislative functions after the resignations of the half of Congress elected last year was essential to the plan, and the refusal of the Moderates, who are in a majority in the first and remaining half of the lower house of congress, to agree to carry out the compromise proposed.

We can, of course, and must, after restoring order, provide fair elections to fill the vacant places in Congress and the other vacancies and then turn over the government to the people duly elected. We should be derelict, however, if we did not make the restoration of order thorough. Mere surrender of the rebels will not restore order. The insurgent leaders can not prevent the organization from their forces of predatory bands, who must be suppressed. This will take time and the use of part of our army to garrison the towns, while the rural guards should do the scouting.

In the interval now between the rumor of the scuttle of the Government and our taking control, the situation with respect to the rural guards is delicate and may give rise to trouble. And the Moderate leaders, some of them, seem willing to have it arise. I may have to land the forces from the ships to-day, but I hope not. The Moderates contain the more conservative class of Cubans in politics, but they have undesirable men among them who would feel vindicated by making more trouble for us.

I have somewhat modified your telegram to Palma, as you authorized me to do, and have transmitted it. You were led into an error by a former telegram from me. The compromise contemplated Palma's remaining as President during his entire term, with a nonpartisan cabinet. It was not temporary.

TAFT.

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[Cablegram received 10 p. m.]

OYSTER BAY, N. Y., September 26, 1906.

TAFT, *Habana*:

Just received your telegram of to-day. Immensely pleased with it and am delighted with the way you are handling the situation. You are doing just what I hoped would be done.

Avoid the use of the word "intervention" in any proclamation or paper of yours and if possible place the landing of our sailors and marines on the grounds of conservation of American interests, emphasizing the temporary character of the landing and the hope that our keeping sailors, marines, or troops in the island will be but for a short time, until a permanent government has been formed.

Please consider whether it would not be well at first to limit, as far as possible, the places where we have to establish garrisons. I want to make it evident, beyond the possibility of a doubt, that we take no steps that we are not absolutely forced to by the situation, and, therefore, I should like to avoid taking possession in appearance of the entire island, if that is possible. Of course, I understand that it may not be possible to avoid this.

Of course, if it becomes necessary to answer any statement of Palma's and the Moderates point out the fact that you and Bacon only went down there when they had requested us to intervene by force of arms, and after Palma had notified us that he would resign, and that neither the vice-president nor the other members of the Cabinet would go on with the government, so that we were brought face to face with the island being left in absolute chaos, with no government at all, and all of this by the act of Palma and his government, before a single step had been taken by us.

I sympathize most heartily with your abhorrence of the insurrectionary spirit, and appreciate keenly the evil necessarily done by the recognition of the insurrectionary party into which we are forced, but this evil is not in the slightest degree due to any act of ours.

On the contrary, it is evident that only your going to Habana prevented that city and all of Cuba from falling immediately into the possession of the revolutionists. We have not caused the evil, we have simply dealt with it in the wisest possible manner under conditions as they have actually been.

THEODORE ROOSEVELT.

[Cablegram received about 3 p. m.]

OYSTER BAY, N. Y., September 26, 1906.

TAFT, *Habana*:

I have been thinking over your last telegram in connection with your previous telegrams and letter. It is undoubtedly a very evil thing that the revolutionists should be encouraged and the dreadful example afforded the island of success in remedying wrongs by violence and treason to the Government.

If the Palma Government had shown any real capacity for self-defense and ability to sustain itself and a sincere purpose to remedy the wrongs of which your telegrams show that they have been guilty, I should have been inclined to stand by them, no matter to what extent, including armed intervention, but as things actually are we do not have the chance of following any such course.

Before you and Bacon went down we had been notified that Palma would resign; that the vice-president and cabinet would refuse to go on with the Government, and now you inform me that this is their definite intention; in other words, that they absolutely decline either to endeavor to remedy the wrongs they have done or to so much as lift a hand in their own defense or make an effort to secure the stability of their Government or the overthrow of the insurrectionists.

Under such circumstances, as the least of two very serious evils, it seems to me that we must simply put ourselves for the time being in Palma's place, land a sufficient force to insure order, and notify the insurgents that we will carry through the programme in which you and they are agreed—keeping control simply until this programme can be carried through.

I do not have much hope that with the example before them of such success in an insurrection the people who grow discontented with the new government will refrain from insurrection and disturbance some time in the future, but there is a slight chance and in my opinion we should give them this chance. Then if the new government sooner or later falls to pieces under the stress of another insurrection, not only will our duty be clearer but the conception by our people and by the people of other nations of our duty will be clearer, and we will have removed all chance of any honest people thinking that we have failed to do our best to establish peace and order in the island without depriving it of its independence.

It seems to me that by following this course—that is, by avoiding any threat or warning to the insurgents unless they refuse to carry out the agreement which they have already made—we shall put ourselves in a strong position in case any of the insurgents refuse to carry out the agreement.

From what you say it is possible the insurgents may not act together, and in that case it would be an advantage to us to have a portion of them with us in case a struggle should ever come.

I feel, therefore, that in ordering the troops to land or issuing any proclamation in my name, which, of course, I hereby authorize you to do, you should base your action upon the ground that organized government had disappeared and that order must be kept, and should avoid issuing the ultimatum to the insurgents or the use of any phraseology saying that they are in revolt against the United States until you have seen whether they will not in good faith carry out the agreement they have already made with you, you on your part carrying out so much of the agreement as you had intended to have Palma carry out.

Of course there may be circumstances known to you which make this plan of mine futile, and I am giving my views with the understanding that they come from a man at a distance who does not know the facts as you do on the ground.

If possible, cable me fully, but if a crisis comes and has to be met I hereby authorize you to do whatever in your discretion you deem best.

THEODORE ROOSEVELT.

[Telegram sent in cipher.]

HABANA, September 26, 1906.

THE PRESIDENT, *Oyster Bay, N. Y.*:

Situation kaleidoscopic. Publication of probability of scuttle of Moderates and necessary intervention of the United States has brought much pressure to avoid it. The Liberals are anxious to avoid it also if they can make deals with Moderates. Saw

Zayas this morning. I told him just what we would do; that is, restore order and then hold new and fair elections and turn over the Government and get out. He has some scheme for electing another President by a rump congress and then carrying out original proposition, but I told him what is true, that a rump government would open possibility for a new rebellion from some desperate Moderates. Indeed some militia of the Government are already threatening. I explained that the thing of all others that was to be avoided was the election of a mulish Moderate, who would stand in his tracks and prevent successful compromise. Clean intervention was better, because in that case the insurgents would surrender and we could soon restore order and constitutional government, and by fair elections quickly bring about the same result as compromise.

But it may be that intervention will not come. Moderate party is now thinking of reconsidering rejection and about to make proposition to arbitrate on conditions that arms be laid down in advance. This Zayas thought yesterday the Liberals would agree to. It may be that this is feasible. I saw Montalvo, secretary of Government, and told him what would be the result of intervention, as I did Zayas. This may not make those Moderates who wish annexation so anxious to have intervention. On the whole I venture with some trepidation to say that prospects for settlement without war seem better to-day, and it seems to be coming more under our control.

Following is your telegram to Palma as changed by me and his answer to it:

[For telegram from President Roosevelt transmitted to President Palma see Taft's dispatch of September 25th to President Roosevelt, pages 30 and 31.]

"PRESIDENT ROOSEVELT:

"I am deeply grateful for the expression of personal consideration set forth in your cable to-day and deplore therefore finding myself in such a difficult position; that while desiring to comply with your wishes, it is impossible for me to do so; but the bases proposed by Mr. Taft and Mr. Bacon in order that the rebels should lay down their arms would, if accepted, simply be giving to these the victory, encouraging them, once they had put aside their arms, to continue in the same spirit of rebellion and laying the foundation for revolt in the future.

"Anything which fails to demonstrate to the insurgents and to the Cuban people in general that hereafter it will not be possible to disturb the public order, is only to suspend the actual conflict until the new elections. Under these circumstances it is absolutely impossible for me to continue in power, my authority being greatly weakened and finding myself without means of strengthening it.

"From the very beginning I explained to Mr. Taft and to Mr. Bacon that the only solution possible in harmony with the authority which I represent, and adequate to prepare impartial elections, was to immediately enact a new electoral law and a municipal one in order that municipal elections should take place all over the island in January or February, the new municipalities being elected by the free will of the people of each district, will serve as a secure basis for the elections which take place in December of the coming year for members of the house of representatives and of the provincial council. It has not come to my knowledge that this proposition has received the slightest consideration on the part of the commissioners. With respect to the cables in which I announced my intention to resign, it should be understood that my only desire was to carry to the conviction of the noble gentleman who presides over the destinies of the great American Republic that the only object I had in speaking to him of the situation in Cuba was to save my country from the anarchy into which the rebels were about to plunge it by threatening the destruction of property, but never to solicit support for myself personally in order to continue in power, that I was resolved to leave as soon as order and public tranquility were restored.

"My sacrifices in behalf of Cuba have always been useful. The sacrifice which I would make to-day, continuing at the head of a government imposed by the force of arms, would be more than useless, shameful for me personally and for my country.

"I wish to repeat to you the testimony of my highest consideration and hearty appreciation.

T. ESTRADA PALMA."

TAFT.

[Cablegram from the President sent late September 26; received Habana early September 27.]

OYSTER BAY, N. Y., September 26, 1906.

TAFT, Habana:

Your second cable of to-day has been received. Things are certainly kaleidoscopic and I must trust to your judgment on the ground how to meet each successive change as it occurs.

✓ Let me repeat that, if possible, you base any action in landing a force and taking possession of the Government or restoring order, upon the need of protecting American interests and avoid, so long as it is possible, the use of the word "intervention" or the use of terms that will imply that the rebels are in the position of an insurrection against us.

This I advise primarily with a view to complications here, and of course it is always subject to the needs of the situation being such as to require us to risk any political trouble here in order to do our duty in Cuba. I think you understand thoroughly what I mean, however, which is to do anything that is necessary, no matter how strong the course, but to try to do it in as gentle a way as possible, and to try to use terms which will be as little as possible of a challenge to opposition. But the main thing, after all, is to bring about a satisfactory result in Cuba, and with this in view I am willing, of course, to incur any criticism and run any risk.

On Friday morning I sail on the *Mayflower* at 11 o'clock, and will be in Buzzards Bay at the target practice at 8 o'clock Saturday, leaving Buzzards Bay at 2 o'clock Saturday afternoon and being back here at 11 o'clock.

If possible, shape your actions so that it will not be necessary to cable me while I am at sea, although I shall have wireless telegraphy.

If, however, you think the situation so critical that I ought not to leave, wire me to-morrow (Thursday) afternoon, and I will abandon the trip.

THEODORE ROOSEVELT.

[Cablegram sent in cipher.]

HAVANA, September 27, 1906.

THE PRESIDENT, *Oyster Bay, N. Y.*

The situation has changed again and is becoming more critical. Zayas is now trying to patch up an agreement with some of the leaders of the Moderate party by which a part of the Moderate party and the Liberal party shall elect, not a constitutional president for three and one-half years, but a provisional president, which is an office the constitution makes no provision for.

I was at first inclined, and did tell him that, if the agreement proved satisfactory, I should not object to a provisional president, although not constitutional, if it brought peace. I shall recall that statement.

Palma has sent word to me informally that he will write a note to me this afternoon asking us to take control, because his resignation, which he has tendered to Congress, will not result in a quorum of Congress to accept it.

The question as to whether they will have a quorum will possibly depend upon our approval or disapproval of the agreement above described. As the agreement is not within the constitution, we would have much better control of the situation for pacification by making our provisional government than having them make one.

There will be no trouble about the laying down of arms by the insurgents if we take control now, and I think it is the best course. We shall delay action until the quorum of Congress fails unless an emergency unforeseen occurs.

TAFT.

[Cablegram received about 1 a. m.]

OYSTER BAY, N. Y., September 28, 1906.

TAFT, Havana:

✓ Your telegram of September 27 received. It is very difficult for me from here to understand exactly the needs of the situation and therefore why one course is better than another. My off-hand judgment is that it would be better to follow your first impulse and agree to the formation of a provisional government under the provisional president in spite of its not being constitutional. Upon my word, I do not see that with Cuba in the position it is we need bother our heads much about the exact way in which the Cubans observe or do not observe so much of their own constitution as does not concern us. Certainly the constitution will come to an end if President Palma resigns and leaves his office while there is not a quorum of Congress to accept his resignation. Neither do I understand why the fact that the government is not within the constitution, as you say, would alter our control of the situation for pacification. I think it would be a misfortune for us to undertake to form a provisional government if there was a fair chance of obtaining peace by allowing the Cubans themselves to form their own provisional government. Remember that we have to do not only what is best for the island but what we can get public sentiment in this country to support, and there will be very grave dissatisfaction here with our intervention unless we can show clearly that we have exhausted every method by which it is possible to obtain peace and the perpetuation of the government with some show of order prior to our taking control ourselves.



I do not think that we should take such control except as a last resort and after every other expedient for securing pacification has been attempted, and I do not care in the least for the fact that such an agreement is not constitutional.

THEODORE ROOSEVELT.

[Cablegram sent in cipher.]

HAVANA, September 28, 1906.

(Filed at 6 a. m.)

THE PRESIDENT, Oyster Bay, N. Y.:

Provisional government scheme failed at any rate. Was notified that the two parties could not agree even before I recalled my acquiescence in it. I am confident the provisional government could not have included enough persons to make it at all practicable and would probably have involved immediate appointment of insurgent generals to office, a circumstance most grave in itself. There is some reason to suspect some of the Moderates of a desire to stir up a counter revolution, and the party is evidently making as much delay as possible with reference to the resignation of the President. I am anxious to let them go as far as they will, but certainly we should not allow matters to go to the point where we have two insurrections on our hands. I told the Moderate committee yesterday in answer to a question put to me that the election of a Moderate as successor to the President who did not have support of all parties would not conduce to peace, because, as you see, this would leave us in a very awkward situation. The Moderate committee then told me they would not meet in Congress to receive the President's resignation. After that they had a meeting and determined to receive the President's resignation and ask him to withdraw it. If he refuses, as he will, they then will hold a session at 9 o'clock to-night to deliberate. I have information that foreign consuls are about to take action with their own governments as to intervention. The critical state makes of course each day's delay serious.

TAFT.

[Cablegram received 12.30 p. m.]

OYSTER BAY, N. Y., September 28, 1906.

TAFT, Habana:

As you say matters change like a kaleidoscope, so any advice from me is apt to be just several hours late.

From this distance I do not see that two revolutions would be in any way more objectionable than one, and as far as our attitude before the people of the United States is concerned it would make our position even better, for if we have to intervene I shall not object to any additional proof that the intervention was inevitable. If it were possible to tide over affairs for two or three days, until I could be back in Washington, I should be glad. This is of course not essential.

I am about to leave on the *Mayflower* for the battle ship target practice, but I can be reached constantly through the wireless telegraph.

It seems to me that it might be well, under the circumstances, to land an ample garrison of marines for Habana, probably to take possession of Morro Castle. I suppose this could be done with Palma's full consent.

As far as possible, however, avoid the use of the word "intervention," and if this is not possible, and we have to name our own provisional government, then emphasize the fact that our action is only temporary and that we are landing troops to secure pacification and set the Cuban Government going again.

If we have to put down the insurrection it will, of course, take many months and a large force, and the people of this country will need to be convinced that there was no alternative to our action, and that we had exhausted every resource in our power in trying to get the Cubans to come to any kind of peaceable agreement, and they will not care a rap whether such agreement was or was not in accordance with the Cuban constitution.

I should not be at all sorry to have the foreign consuls act as to intervention of their governments, as you state that they will, because it would make our course even clearer and give us an even more complete justification.

As a mere suggestion, consider what I have said about landing forces on the ground; that the danger of chaos and convulsion is so great as to render such a step necessary, while at the same time continuing your efforts to get the representatives of the two parties to come to some agreement, even though we should ourselves have to superintend the carrying out of such an agreement.

THEODORE ROOSEVELT.

[Cablegram sent in cipher.]

HABANA, September 28, 1906.

THE PRESIDENT, *Oyster Bay*:

Situation entirely changed this morning. Zayas and some of the Moderates have attempted to get together in agreement to select Zayas or Sanguilly or Menocal President, and Zayas came in to see whether we would object to the agreement.

We said we would object to no agreement of any sort which would bring about peace; that we had no pride of opinion in the compromise suggested by us, but they might make any agreement they chose if it only brought about peace.

Following this, Menocal and Agremonite called to ask in respect to the same thing, and we said the same thing to them. We then received a call from Gen. Freyre Andrade, a leader of the Moderate party, in which he said that the election of Zayas or Sanguilly or Menocal to succeed Palma was utterly absurd; that what the Moderate party would do would be to convene Congress, receive the resignation of President Palma, appoint a committee to ask him not to resign; that he would decline to reconsider; that they would then return to Congress, break the quorum, and disappear.

He said that they wanted intervention; that there was no other solution. He told Steinhart while here that while the Moderates wanted intervention they did not want it to appear that they were asking it.

The situation developed by Andrade will probably be consummated to-night or to-morrow morning, and then action must follow.

TAFT.

[Cablegram sent in cipher.]

HABANA, September 28, 1906—about 1 p. m.

THE PRESIDENT, *Oyster Bay*..

Situation now likely to be this: Congress called at 2 o'clock will not have a quorum. President will wait until 4 o'clock and then will send word to me that Congress had not met; that he now presents his resignation to me and asks me to intervene to protect life and property. Shall land forces and proclaim in your name provisional government according to terms of former telegrams unless you direct otherwise. No other course seems open to Bacon and me.

TAFT.

[Cablegram sent in cipher.]

HABANA, September 28, 1906.

(Filed 3.27 p. m.)

THE PRESIDENT, *Oyster Bay*:

In view of your telegram to-day [i. e. second telegram of Sept. 28] shall not act until we have submitted whole matter to you.

TAFT.

[Letter.]

HABANA, September 28, 1906.

MY DEAR MR. PRESIDENT:

I inclose herewith a telegram that I had prepared to send you this morning to map out a course had the Moderates elected one of their number with a view to making as awkward as possible the course of intervention which would then, in my judgment, have become absolutely necessary, for any compromise without war would have been impossible. The trouble about my sending the dispatch as a dispatch is that the circumstances which required it have changed, and now the situation is different, as I shall explain to you in a dispatch to be sent the same time that this is mailed, a copy of which I also inclose. I send it merely as a résumé of the probable situation. It looks to-day as if intervention would come to-night or to-morrow morning. I know how much you deplore this, but there is really no way out of it. The truth is that the two sides want it now, the Liberals because they can earn their victory in the holding of new elections, and the Moderates because if the elections have to be held they want them held under the auspices of the United States, and because the Moderates are in favor of annexation generally. But neither party is willing to take the responsibility of saying so out loud.

As ever, sincerely, yours,

WM. H. TAFT.

I inclose our correspondence with Palma.

THE PRESIDENT.

[Telegram inclosed in letter—this dispatch not sent by cable.]

HABANA CUBA, September 28, 1906.

THE PRESIDENT, *Oyster Bay, N. Y.*:

Our position ought to be stated to you with a view to the possible course of the Moderates to-day, either in electing a Moderate to succeed Palma or in delaying action. Their committee asked me how I felt about it and I replied, after conferring with Bacon and Steinhart, that in our judgment the election of a Moderate to succeed Palma without the approval of all parties would not relieve the situation or help toward peace; that only a person indifferent between the parties would be likely to facilitate it.

The situation is this: Palma asked you to intervene, announcing his inability to cope with the crisis, and to protect American interests and proposing abdication of himself and cabinet. You ignored this request, but wrote your letter urging concessions and peace and proposing mediation. Palma had already consented to mediation by Menocal and had granted a truce, but withdrew on knowledge of the coming of the *Denver*.

On your letter he announced another truce, as did the insurgents. We came and asked him how we should mediate and he referred us to Capote and Zayas, leaders of the two parties. We examined the situation, assured ourselves of the authority of Zayas and committee to represent insurgent forces in the field by a conference with insurgents under safe conduct of the Government, and considered basis of compromise suggested by both parties, tentatively reached a line of compromise thought just, and which we hoped from attitude of both parties might work out; expressed it first in a conversation and then in a letter to the President and asked him to help us put through this or any modification. He declined and then announced his intention to resign. The Moderate party then proposed through Capote to abdicate and bring on provisional government. We declined to request this, but urged compromise effecting peace on suggested terms or any other.

The situation has come to be such now that if you establish provisional government Zayas agrees that insurgents will lay down their arms. The Moderates, though now many are strongly in favor of intervention and indeed annexation, are apparently trying to compel you to establish provisional government by appearing to override their will and then save themselves from charge of bringing on intervention and embarrass us because we reached some tentative suggestions of compromise contrary to their views. In electing a Moderate they probably make hope of peace impossible. Of course we would still make effort through new President to secure some compromise. Should you not, then, after unsuccessful effort, recur to the original request of Palma, which you ignored, and now establish peace by provisional government, if the Moderate party continues to finesse and delay for their own political position, sacrificing peace? They may keep adjourning and postponing action indefinitely. I do not think we should postpone action very much longer. We have been very patient and had recourse to every expedient to bring compromise, but have failed, and in the great hope of ultimate peace have been obliged to ignore for the time many just claims of American and foreign residents for specific protection. It may be that a new Moderate President would end the truce, demand aid of our forces against insurgents to sustain constituted government. This would certainly lead to war. If, however, we rendered same aid under provisional government we could probably count on peace. Is there doubt as to the wisest course?

Taft.

[Telegram sent.]

HABANA CUBA, September 28, 1906.

(NOTE.—A dispatch containing substantially the same draft of proclamation as here follows was prepared and filed late last night (the 27th), but it was subsequently withdrawn and to-day amended as below and sent about 4 o'clock this afternoon.)

THE PRESIDENT, *Oyster Bay*:

The following form of proclamation, in case we must establish provisional government, is suggested:

"To the people of Cuba:

"The failure of Congress to act on the irrevocable resignation of the President of the Republic of Cuba, or to elect a successor at this time when great disorder prevails in the country, requires that, pursuant to a request of President Palma referred to the President of the United States, the necessary step be taken by this proclamation

in the name and by the authority of the President of the United States to restore order, protect life and property in the Island of Cuba and islands and keys adjacent thereto, and for this purpose to establish therein a provisional government.

"The provisional government hereby established will be maintained only long enough to restore order and peace and public confidence and then to hold such elections as may be necessary to determine those persons to whom the permanent government of the Republic should be turned back.

"In so far as is consistent with the nature of a provisional government, the constitution of Cuba will be observed. It will be a Cuban Government as far as possible and a mere continuance of the one for which it is temporarily substituted. All the executive departments will be as under President Palma. The courts will continue to administer justice and all laws not in their nature inapplicable by the reason of the temporary and emergent character of the government.

"President Roosevelt has been most anxious to bring about peace under the constitutional government of Cuba and has made every endeavor to avoid the present step. Longer delay, however, would be dangerous.

"In view of the resignation of the Cabinet, until further notice the heads of all departments of the central government will report to me for instructions, including General Alejandro Rodriguez, in command of the rural guard and other regular Government forces, and General Carlos Roloff, treasurer of Cuba.

"Until further notice, the civil governors and alcaldes will also report to me for instructions.

"I ask all citizens and residents of Cuba to assist in the work of restoring order, tranquility, and public confidence.

"WILLIAM H. TAFT,  
"Secretary of War of the United States,  
"Provisional Governor of Cuba.

"HABANA, September 28, 1906."

TAFT.

[Telegram received.]

OYSTER BAY, September 28.  
(Received 8.30 p. m.)

TAFT, Habana:

All your telegrams of to-day have been forwarded to the President by wireless.

The following received from him prior to the receipt by him of your last cable, including proclamation.

LATTA, Acting Secretary.

"All right; land forces and issue proclamation as suggested, in my name, but if possible emphasize the fact that you are landing only at Palma's request and because there is no government left, so that it is imperative to establish one and to land forces to protect life and property.

"Also tell them that the government you form is only provisional and temporary until the Cubans can form one for themselves.

"I suppose you will get the insurgents to disperse by telling them you will carry out substantially the agreement to which they once before assented.

"ROOSEVELT.

[Telegram sent.]

HABANA CUBA, September 28, 1906,  
(about 10 o'clock p. m.).

THE PRESIDENT, Oyster Bay, N. Y.:

Congress will not elect a successor to Palma. An earnest effort has been made to agree on a person and a compromise, but it has failed. Congress meets at 9 o'clock to-night and will not have a quorum. Palma will send a letter to us as follows:

"The embarrassing position in which I have been placed on account of the non-election of a person to succeed me in the office of President of the Republic, the irrevocable resignation of which I have presented to Congress, obliges me to submit to you the following:

"It is absolutely essential for my peace of mind that I deliver the national funds, amounting to \$13,625,539.65, to a responsible person.

"That it is also of urgent necessity to disband the militia, hastily organized as an auxiliary force, and the support of which daily costs the state many thousands of dollars.

"That it is not possible to discharge this militia so long as the rebels do not disband; it being of the highest importance that the latter be compelled to lay down their arms and all return quietly to their homes.

"That otherwise Cuban social conditions will continue in their present chaotic state, with all business paralyzed, the spirits of all troubled and restless, the lives and properties of citizens at the mercy of anarchy, and every one lacking confidence in the future.

"As a patriotic and decided lover of peace and order, and anxious that the guarantee of all the inhabitants reign anew in Cuba, I have considered it my imperative duty to lay the above before you, so that the unfortunate condition through which my country passes may be terminated."

Shall surround the treasury with marines to-night. Should be glad to hear from you as early to-morrow as possible. If a provisional government is established under a proclamation like that sent you, should like to insert in it statement that the Cuban flag will still fly over all the public buildings.

TAFT.

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[Telegram received.]

OYSTER BAY, N. Y., *September 29—8 a. m.*

TAFT, *Habana.*:

Just received the following by wireless:

"Cable Taft as follows: Two telegrams received. Am much pleased. Earnestly hope the Cuban parties can be persuaded themselves to agree on provisional government of some kind that will ensure peace.

"I hear well of Menocal. Ask Funston about him. Make Moderates understand if they force intervention it shall be known they are responsible. I approve the form of proclamation you suggest. If we must establish provisional government of course you can land force at any time, no matter what government is inaugurated, if you think situation requires it, and I suppose from what you say that such will be the case, but I earnestly hope you can persuade the parties themselves to agree on a temporary provisional government which, if necessary, we can supervise until the elections you have planned can be held.

"ROOSEVELT."

LATTA.

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[Telegram sent.]

HABANA, CUBA, *September 29, 1906.*

The PRESIDENT, *Oyster Bay.*:

Great efforts to make an agreement based on election of Menocal or Zayas failed completely thereafter and quorum of both Houses was broken, only a small number of members appearing.

Palma sent me letter already cabled you. I ordered a guard of marines to surround treasury last night and shall issue proclamation to-day.

TAFT.

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[Telegram received.]

OYSTER BAY, *September 29, 1906.*

TAFT, *Habana.*:

The following just received from President (Provincetown, Mass., Sept. 29): "Cable Taft as follows: Your cable containing Palma's proposed message received. You have done all in your power to get Cubans to establish their own government. You can now do nothing but establish provisional government as you suggest.

"I approve your proclamation with the insertion of statement that the Cuban flag will fly over the public buildings.

"Land marines at once to guard treasury and, of course, I presume also to take possession of forts and guard the waterworks.

"I hope you can convince insurgents that it is to their interest to lay down arms at

once, as we intend immediately to hold a new election, and that they will have practically all the advantages they would have had if Palma had gone into the original agreement, to which they assented.

"ROOSEVELT."

Your last two messages have not yet reached him.

LATTA,  
*Acting Secretary.*

[For continuity, the actual proclamation is here inserted.]

PROCLAMATION.

*To the people of Cuba:*

The failure of Congress to act on the irrevocable resignation of the President of the Republic of Cuba, or to elect a successor, leaves this country without a government at a time when great disorder prevails, and requires that, pursuant to a request of President Palma, the necessary steps be taken in the name and by the authority of the President of the United States to restore order, protect life and property in the Island of Cuba and islands and keys adjacent thereto, and for this purpose, to establish therein a provisional government.

The provisional government hereby established by direction and in the name of the President of the United States will be maintained only long enough to restore order and peace and public confidence, and then to hold such elections as may be necessary to determine those persons upon whom the permanent government of the Republic should be devolved.

In so far as is consistent with the nature of a provisional government established under the authority of the United States, this will be a Cuban government, conforming, as far as may be, to the constitution of Cuba. The Cuban flag will be hoisted as usual over the Government buildings of the island. All the executive departments and the provincial and municipal governments, including that of the city of Habana, will continue to be administered as under the Cuban Republic. The courts will continue to administer justice, and all laws not in their nature inapplicable by reason of the temporary and emergent character of the government will be in force.

President Roosevelt has been most anxious to bring about peace under the constitutional government of Cuba, and has made every endeavor to avoid the present step. Longer delay, however, would be dangerous.

In view of the resignation of the cabinet, until further notice the heads of all departments of the central Government will report to me for instructions, including Major-General Alejandro Rodriguez, in command of the Rural Guard and other regular government forces, and General Carlos Roloff, treasurer of Cuba.

Until further notice, the civil governors and alcaldes will also report to me for instructions.

I ask all citizens and residents of Cuba to assist in the work of restoring order, tranquillity, and public confidence.

WM. H. TAFT,  
*Secretary of War of the United States,  
Provisional Governor of Cuba.*

HABANA, September 29, 1906.

[Cablegram sent.]

HABANA, September 29, 1906—about 1 p. m.

THE PRESIDENT,  
*Oyster Bay, N. Y.:*

Sent the following agreement to the revolutionary committee, which they have all signed:

"With the understanding that the provisional government this day established in Cuba intends to carry out, in so far as the same may be applicable to the changed conditions, the bases of settlement which the peace commissioners recommended to both the Moderate and Liberal parties, including a general amnesty for political offenses, the undersigned, representing the insurgent forces in the field by proper delegation, hereby agree on behalf of such insurgent forces that they will at once lay down their arms, return to their homes, restore the property which was taken by them for military purposes and which is now in their possession. We request the appointment of a commission by the provisional governor to meet a similar commission appointed by us to arrange the details for the surrender of arms and property and the return of the men to their homes."

Have appointed a commission as requested therein.

Called on President Palma at 12 o'clock. He said he had read the proclamation and was very much pleased with it. He said he thought no other solution was possible.

There are 10,000 or more militia drawing \$2.50 per day, and utterly useless, so General Rodriguez, commander of Government forces, says. It will be a great problem to secure their disbandment without trouble.

TAFT.

[Cablegram sent.]

HABANA, *September 28, 1906.*

THE PRESIDENT, *Oyster Bay:*

Think that 6,000 troops should come here. This would be one expedition. Am hopeful that all difficulties can be composed, but it would be wise to have that number of troops for occupation of island. They can be used to garrison towns, and the rural guard used for predatory bands that are quite certain to infest the island no matter how complete and successful the surrender of insurgents may be. There is possibility, as suggested in my last telegram, that we may have some difficulty with militia. All these things require, in my judgment, sending of troops. Plan I suggest contemplates release of marines and Navy, which will of course not wish to stay in these waters in such force as now.

TAFT.

[Telegram received.]

OYSTER BAY, N. Y., *September 30, 1906.*

TAFT, *Habana:*

Have directed that the 6,000 men go to you. You might announce that they are to relieve the sailors and marines. This may make it a little easier as regards any Cuban insurgents who may wish an excuse to be suspicious of our good faith.

I congratulate you most heartily upon the admirable way you have handled the whole matter. It is another great public service you have rendered. Will you also congratulate Bacon most heartily for me upon what he has done? I am especially pleased with the agreement which the revolutionary committee signed.

Have directed the State Department to continue Cuban foreign relations, consuls and ministers, as if no change had occurred.

ROOSEVELT.

[Telegram received in cipher.]

WASHINGTON, D. C., *October 2, 1906,*

TAFT, *Habana:*

I feel that it is most important that if any bloodshed occurs it should be between Cubans and Cubans, not between Americans and Cubans. Please have the strictest instructions issued.

Unless there is good reason to the contrary, competent American officers who have served in Cuba should be immediately put in command of the rural guard or any other force with which disorder is to be suppressed: then, in the event of disorder, the American troops should not be called upon until the last resort.

The fighting, at least in its first stages, should be between Cubans who are upholding order and the bandits. I am most anxious that there should be no bloodshed between Americans and Cubans.

ROOSEVELT.

[Telegram sent.]

HABANA, CUBA, *October 2, 1906.*

THE PRESIDENT, *Washington:*

It is not the purpose to use American soldiers to fight with Cubans except in cases of absolute necessity. The plan is to garrison the large towns with American soldiers, and to use rural guards for the suppression of active disorder. The American troops are here as a background to give confidence, not to do fighting.

Have just had a call from insurgents to announce that the preliminaries for surrender and disarmament are completed, and that it will begin early to-morrow, and

that by Sunday the whole surrender will be complete. Of course there may be some hitches. They are to be expected, but thus far we are hopeful of smooth working. We are disarming the militia, too, and the next few days will be critical. We are trying, with all our power, to maintain the status quo until disarmament is complete.

TAFT.

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[Telegram sent.]

HABANA, CUBA, October 5, 1906.

THE PRESIDENT, *Washington*:

The disarmament goes on with inevitable hitches. All over the island surrenders are taking place. By to-morrow night the great majority will be disarmed. Doubtless we shall not get all the arms. We did not expect to. But this is not possible. The generals can not control their men. It is not so important as is thought, because such arms as these are easily procurable for another revolution, even if we secured all here. The militia, whose arms are much more valuable, are being successfully disarmed. It is a ticklish business, but the desire for peace under our settlement seems to be sincere on both sides, and gives us hope of a successful ending. Two or three robber bands will be evolved, needing attention of the rural guards, but nothing formidable, I hope. Many of the insurgents have deserted and gone home. Tobacco fields are calling them. Thus far not the slightest friction between American troops and any Cuban forces. The policing will all be done by Cuban rurales.

TAFT.

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[Telegram sent in cipher.]

HABANA, October 7, 1906 (*Sunday*).

THE PRESIDENT, *Washington*.

Disarmament is proceeding. Habana Province is free from insurgents including all of Castillo's command, except about 200 who disband to-day. The last of Pino Guerra's men left for Pinar del Rio yesterday afternoon and disband to-day. Many have disbanded in Santa Clara and Santiago de Cuba. In Camaguey the rebels are fewer in number but harder to deal with. The guns we receive are old and poor. The good ones are doubtless buried or concealed but we expected nothing more. The great point is to break up the organization and disperse men to their homes. Have thus far heard of only one predatory band and that not yet confirmed.

A complication has arisen in respect to the surrender. The original agreement sent you required insurgents to deliver up arms and seized property in their possession. The disarmament commission, with Funston as chairman, found much difficulty in dealing with horses in possession of insurgents. There was no record of owners or places of seizure and horses were frequently swapped and finally it was thought best to ship horses back with insurgents as bringing them nearer probable owners and to give each insurgent a certificate describing his horse and showing his right to hold it until rightful owner established claim. Unfortunately Funston allowed certificates to read in Spanish as if vesting title and though the insurgent generals understood otherwise, the men believed they were to keep their horses. Am myself to blame for not exercising closer supervision. Think it would produce great trouble now to permit horses to be taken from them. Indeed, seriously doubt if we could have secured surrender of men if we had insisted on taking horses in accordance with agreement. Their generals could not have controlled them; certainly, the delay and trouble would have been far greater. Believe the best course now is to indemnify any owner who can show that an insurrecto has his horse and can produce registered title to him. Not half horses in Cuba are registered and requirement of proof of identity of horse will prevent excessive number of claims. It may involve Cuban government in loss of five hundred thousand dollars. McCoy advises me that this course was the only one found feasible in last revolution, at least in Santiago and probably in all the island.

Please cable your conclusion.

TAFT.



[Telegram received.]

WASHINGTON, D. C., October 7, 1906.

TAFT, Habana.

I approve your conclusion as to indemnification of owner of horses. Congratulate you on way things are going. Earnestly hope you can get back here within a fortnight as I need you very much on several matters.

THEODORE ROOSEVELT.

[Telegram sent.]

HABANA, CUBA, October 8, 1906.

The PRESIDENT, Washington.

The day has passed without unusual happening. Word comes from Pinar del Rio that all insurgents have disarmed and disbanded in that province. Same is true in Habana Province and in Camaguey. In Santiago all rebels are disbanded, except in Manzanillo. In Santa Clara the personal bitterness between the factions is so great that many hitches occur and danger of conflict arises in particular localities. For several days we may expect complaints due to a fear on part of the insurgents of ill treatment by Moderate alcaldes and municipal police. In each province we must expect robber bands to be suppressed by rural guards. Shall need all troops of first expedition and the marines here now not attached to any vessel to garrison the island and give the security necessary to bring tranquillity. The rebels are concealing their good arms and are suspicious of our keeping our promises. Patience and maintenance of sufficient force are needed to accomplish our purpose. Have sent Steinhart to-night to Cienfuegos to compose differences at that town, which is the focus of more bad feeling than any other point in the island. Hope to leave here Saturday on *Louisiana* with Bacon after issuing proclamation of amnesty. Magoon and Bell arrive to-morrow afternoon. It may be after Bell arrives and looks over situation he will think we can let marines go.

TAFT.

HABANA, October 10, 1906.

The PRESIDENT, Washington.

My understanding of the proper policy to be pursued in meeting the expenses of the army of occupation in Cuba is that the Cuban Government should pay the expense of constructing and maintaining quarters for the army, and that where officers are detached from troops and are serving the Cuban Government, the same principle should apply, and they be furnished quarters at the expense of the Cuban Government. I do not think that the army officers should be paid anything out of the Cuban treasury as either compensation or commutation, but the proper quarters should be furnished them at the expense of the Cuban Government. The construction of quarters for troops should be pressed forward with great dispatch. Our quartermasters are in a situation to do this. The Cuban department of public works could supervise and carry on the construction but very slowly. It would greatly facilitate matters if the Quartermaster's Department could go ahead and, with the money which its officers have from the United States Treasury, construct the quarters, and then at regular periods, say monthly or quarterly, reimburse the funds in their hands from the Cuban treasury for the expenditures thus made. Major Baker, the chief quartermaster, has raised the question whether the Comptroller would hold that this might be done or whether he would hold that money thus reimbursed must go back into the Treasury as funds unappropriated. I hope the former conclusion can be approved by the Comptroller. Of course, the quartermasters expending this money would be required to render the same accounts to the Cuban Government that they would under ordinary circumstances to the United States Government for the expenditure of these funds. They might be rendered in triplicate, both to the auditing department of the United States and the auditing department of Cuban Government.

General Bell and Governor Magoon concur in my recommendations and I suggest a conference with the Comptroller to obtain his views. An early decision would be of much advantage.

TAFT.

HABANA, October 10, 1906.

THE PRESIDENT, *Washington*:

Magoon has shown me forms of proclamation drawn by Root for him to issue. I do not know that there is any objection to reference to Platt amendment, although you preferred not to have me refer to it specifically in my proclamation. The authority exists and reference to it does not widen it or strengthen it. What seems to me a serious defect in the form, however, is the absence of any reference to my proclamation and the promises therein made, and the fact that Magoon is merely my successor to continue the government already established. It is not necessary specifically to refer to the understanding with the insurgents as to working out the compromise recommended in so far as applicable to changed conditions except to say that the policy already indicated will be continued. The proclamation thus issued would give the impression of a change of policy and a purpose to ignore what has been done in so far as it could be construed to be binding on the United States. This would be a most serious obstacle to slowly coming peace and tranquillity, and would sharpen suspicions already making themselves manifest here as to our purposes. We came into the provisional government with the acquiescence of both parties. Neither will secure what it hopes for in patronage or control during our incumbency, and the antagonisms against us are sure to grow. We must allay these as much as possible in order to enable us to garrison the island and prepare the rural guards to suppress hostile demonstration and arrest offenders. Then with order thus attained and secured, we can prepare for elections and turning over the Government to the fairly elected. It may prove wise to continue the troops here some time after we give over the Government to enable the duly constituted authorities to prepare to maintain themselves. My criticism of the form of proclamation is from the standpoint of policy in Cuba. Of course, from the legal standpoint in Washington it is unobjectionable. I think that the proper form would be a proclamation by me and then one by Magoon. May I ask you to show this to Root, for I have no doubt he will see the force of the view I present.

I issued the amnesty proclamation and the horse proclamation to-day. Disbanding is not entirely complete, but substantially so, and it was most important as soon as possible to notify stragglers and lawbreakers that stealing and marauding must stop. I send both proclamations in full.

Matters are progressing as well as we could expect. Steinhart has returned from Cienfuegos and seems to have brought about an agreement between opposing elements as to the police and rural guards which is satisfactory. Its permanence remains to be seen. As we hope to leave on Saturday it will be of assistance if we can hear soon your views as to the proclamation.

TAFT.

[Telegram received in cipher.]

WASHINGTON, October 10, 1906.

TAFT, *Habana*:

We anticipated that there would be occasion from the Cuban point of view to make some additions to proclamation, but it seems desirable to avoid too much proclamation, and as you have issued one we think you better not issue another. We suggest insertion in Magoon's proclamation of something as follows:

"The policy declared and the assurances given by my predecessor, Secretary Taft, will be strictly adhered to."

The government which Congress finds in force will, of course, be called in question, and we think it desirable that the action taken should be now based expressly upon the act of Congress and the treaty.

Your view that army officers should receive nothing from Cuban treasury either for compensation or commutation, that expense of their quarters should be paid by Cuba, is approved.

It seems better to have a lump sum paid out of the Cuban treasury to our quartermaster, to be applied to construction, et cetera, of quarters, and accounted for as a special trust fund, rather than to pay from United States funds and rely upon reimbursement. The former seems within the power of the provisional governor and the other of doubtful legality.

THEODORE ROOSEVELT.

[Cablegram sent.]

HABANA, CUBA, *October 11, 1906.*THE PRESIDENT, *Washington:*

Ought I not to issue the following proclamation in order to complete the record and show that I go out as Magoon comes in. "Proclamation: By the direction and with the authority of the President of the United States I hereby lay down the office of provisional governor of Cuba, assumed by me September 29, 1906, and turn the same over to Charles E. Magoon as my successor." Then Magoon's proclamation will follow this.

TAFT.

[Cablegram received.]

WASHINGTON, *October 12, 1906.*TAFT, *Habana:*

Yes; issue proclamation as you suggest.

THEODORE ROOSEVELT.

**EXHIBIT 2.**OYSTER BAY, N. Y., *September 14, 1906.*

MY DEAR SEÑOR QUESADA:

In this crisis in the affairs of the Republic of Cuba, I write you, not merely because you are the minister of Cuba accredited to this Government, but because you and I were intimately drawn together at the time when the United States intervened in the affairs of Cuba, with the result of making her an independent nation. You know how sincere my affectionate admiration and regard for Cuba are. You know that I never have done and never shall do anything in reference to Cuba save with such sincere regard for her welfare. You also know the pride I felt because it came to me as President to withdraw the American troops from the island of Cuba and officially to proclaim her independence and to wish her Godspeed in her career as a free republic. I desire now, through you, to say a word of solemn warning to your people, whose earnest well-wisher I am. For seven years Cuba has been in a condition of profound peace and of steadily growing prosperity. For four years this peace and prosperity have obtained under her own independent government. Her peace, prosperity, and independence are now menaced; for of all possible evils that can befall Cuba the worst is the evil of anarchy, into which civil war and revolutionary disturbances will assuredly throw her. Whoever is responsible for armed revolt and outrage, whoever is responsible in any way for the condition of affairs that now obtain, is an enemy of Cuba; and doubly heavy is the responsibility of the man who, affecting to be the especial champion of Cuban independence, takes any step which will jeopardize that independence. For there is just one way in which Cuban independence can be jeopardized, and that is for the Cuban people to show their inability to continue in their path of peaceful and orderly progress. This nation asks nothing of Cuba, save that it shall continue to develop as it has developed during these past seven years; that it shall know and practice the orderly liberty which will assuredly bring an ever-increasing measure of peace and prosperity to the beautiful Queen of the Antilles. Our intervention in Cuban affairs will only come if Cuba herself shows that she has fallen into the insurrectionary habit, that she lacks the self-restraint necessary to secure peaceful self-government, and that her contending factions have plunged the country into anarchy.

I solemnly adjure all Cuban patriots to band together, to sink all differences and personal ambitions, and to remember that the only way that they can preserve the independence of their republic is to prevent the necessity of outside interference, by rescuing it from the anarchy of civil war. I earnestly hope that this word of adjuration of mine, given in the name of the American people, the staunchest friends and well-wishers of Cuba that there are in all the world, will be taken as it is meant, will be seriously considered, and will be acted upon; and if so acted upon, Cuba's permanent independence, her permanent success as a republic are assured.

Under the treaty with your Government, I, as President of the United States, have a duty in this matter which I can not shirk. The third article of that treaty explicitly confers upon the United States the right to intervene for the maintenance in Cuba of a government adequate for the protection of life, property, and individual liberty. The treaty conferring the right is the supreme law of the land and furnishes me with the right and the means of fulfilling the obligation that I am under to protect American interests. The information at hand shows that the social bonds throughout the island have been so relaxed that life, property, and individual liberty are no longer safe. I have received authentic information of injury to, and destruction of, American property. It is in my judgment imperative for the sake of Cuba that there shall be an immediate cessation of hostilities and some arrangement which will secure the permanent pacification of the island.

I am sending to Habana the Secretary of War, Mr. Taft, and the Assistant Secretary of State, Mr. Bacon, as the special representatives of this Government, who will render such aid as is possible toward these ends. I had hoped that Mr. Root, the Secretary of State, could have stopped in Habana on his return from South America, but the seeming imminence of the crisis forbids further delay.

Through you I desire in this way to communicate with the Cuban Government and with the Cuban people, and accordingly I am sending you a copy of this letter to be presented to President Palma and have also directed its immediate publication.

Sincerely, yours,

THEODORE ROOSEVELT.

Señor DON GONZALO DE QUESADA,  
*The Cuban Minister.*

### EXHIBIT 3.

[Confidential.]

WAR DEPARTMENT, *September 15, 1906.*

MY DEAR MR. PRESIDENT: I reached here to-night on the Congressional Limited and met General Bell and General Ainsworth and the heads of bureaus and looked into the question of what could be done by the Army in case it was thought necessary to enforce peace in the island. I find that the general staff, through Bell and Wotherspoon, have worked out a complete system, down to the 3d of September, for sending three expeditions—the first one of about 6,000, the second one of about 6,000, and the third of about 6,000, or possibly a total of 18,000 men. There is but one transport, the *Sumner*, in New York, which we could use. We could also use the two large boats of the Panama Railway Company, and we could probably land a force of 5,500 or 6,000 men in Habana, ready for action, in ten days after the issuing of the order. We could get the troops to the seaboard more promptly than we could assemble the necessary transports. I have directed the quartermaster to make inquiry, and, if possible, secure options for the necessary additional transports. Crozier is all ready with ammunition, Sharpe is all ready with his provisions, and to-morrow the quartermaster will begin the necessary purchase of animals with which to equip the expedition. We shall have to buy 163 horses for the first expedition. Two batteries of artillery ought to be changed into mountain batteries. This was recommended some time ago, and I have directed that it be done. We have only four mountain batteries, and this keeps two in the Philippines all the time. We ought to have six, so that each battery may spend two-thirds of its time in America, at home. All the men seem very much interested to show that we are ready for action. Wotherspoon thinks that the Army is very fit after the training it has had this summer. If we have to go at all, I am in favor of going with as much force as we can command, so as to end the business at once.

I have observed from the questions of the correspondents that they are at once beginning to raise the issue whether we have the right to intervene without asking the permission of Congress. My own idea is that under the treaty and your obligations under the law to protect the treaty you have the right to intervene. This is the opinion of the Judge-Advocate-General, Davis, but I suggest that the question might very well be formulated and submitted to the Attorney-General against the possibility of the necessity for action. I suggest as the form of the question the following:

"Upon receipt of formal notice by the President of the Cuban Government that that Government is unable to furnish adequate security to American lives and property in the island of Cuba, is the President authorized, under the laws and treaties of the

United States, including the treaty with Cuba, to direct the Army or any part of it to be transported to Cuba, there under his command to maintain law and order for the purpose of preserving American property and lives, without further authority from Congress? Is this making war, which would require specific constitutional Congressional authority?"

Bacon did not come over with me on the Congressional Limited, but I believe he is to arrive to-morrow morning. If I can possibly get ready, we leave on to-morrow afternoon's train, at 3.45, which reaches Tampa about 11 o'clock the next night. On a quartermaster's boat we can leave Tampa and run down to meet the *Des Moines* or whatever vessel they can send us from Habana, and thence we can go directly to Habana. I believe that from Tampa to Habana is about twenty-four hours. This would bring us into Habana Tuesday night or Wednesday morning.

I send to you, because I know you are deeply interested, the plan of the General Staff for these expeditions. It is confidential, of course, and I shall ask you please to return it after you have read it, if you will.

Sincerely, yours,

WM. H. TAFT.

The PRESIDENT,  
Oyster Bay, N. Y.

WAR DEPARTMENT,  
OFFICE OF THE JUDGE-ADVOCATE-GENERAL,  
Washington, September 15, 1906.

The SECRETARY OF WAR.

SIR: I have the honor to submit the following expression of views in respect to the force and operation of Article III of the treaty regulating the relations between the United States of America and the Republic of Cuba which was concluded on May 22, 1903. Article III provides that—

"The Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba." (Treaty of May 22, 1903; 33 Stat. L., 2248.)

The treaty containing the foregoing clause having been made "under the authority of the United States," in the manner prescribed in the Constitution, is a part of "the supreme law of the land." (Par. 2, Art. VI, Const. of the United States.) In discussing its operation it is necessary to ascertain what duty it imposes on the Government of the United States and to determine what department of the Government is charged with the performance of the duty so prescribed.

The article vests authority in the Government of the United States to intervene in the internal affairs of the Government of Cuba—the purpose of such intervention being to maintain "a government adequate for the protection of life, property, and individual liberty, etc." The objects so described are attained by the establishment and maintenance of public order, and public order is maintained as a result and consequence of the strict enforcement of the laws which are calculated to protect life and to secure the quiet enjoyment of property rights.

The duty so described is primarily an executive duty, and any duties which, in the course of its performance, devolve upon other departments of the Government are collateral and secondary and are subordinate in importance and obligation to those which devolve upon the Executive. It is possible, of course, that the Executive may not have under his control the agencies or assistance which are necessary to enable him to perform the duties with which he is charged in the Constitution and laws. If such be the case, he is powerless to act until some other branch of the Government—the legislative, for example—has provided him with the means and agencies which are essential in the execution of the statutes.

That the duty charged is not a legislative duty is apparent when the nature and character of the acts to be done are considered. Congress can make new laws or modify or repeal old ones; but it is utterly without power either to execute statutes or to prescribe methods for their execution. If the present situation of affairs in Cuba were to be submitted to Congress, the legislative powers of that body would be exhausted in legislation authorizing the President to execute the existing laws and treaty obligations of the United States and in providing the agencies and means to enable him to give execution to such laws and obligations.

The exclusively executive character of the duty with which the United States is charged in the article under discussion is further indicated by the several steps which

it may be found necessary to take in the performance of that duty. It is assumed, for purposes of discussion, that an insurrectionary movement has come into being in the island of Cuba with which the Cuban Government is powerless to deal; it is also assumed that the existence of such conditions has become known to the President either as the result of his own observations or of authoritative representations which have been made to him, or upon the admission of the Government of Cuba that it has exhausted its powers and is unable, by its own agencies and instrumentalities, to maintain order in the island.

Upon the happening and fulfillment of the conditions above described the duty of intervention with a view to the establishment and maintenance of public order will have accrued. In the execution of the intervention the first steps are or may be political and advisory. The Government and people of the island may be officially notified of the power and duty of the Executive under the treaty, and negotiations may be undertaken with a view to the restoration of order by pacific methods, or by a resort to good offices, or by a compromise, or a redress of grievances. If these methods fail, however, the next step in execution will consist in the issue of a proclamation by the President calling upon all persons composing insurrectionary combinations to disperse and retire peaceably to their respective abodes within a specified number of days from the date of such proclamation.

Assuming the issue of such a proclamation, it will then become necessary for the President to employ the land and naval forces in the restoration of order in the island of Cuba and in removing the opposition to the execution of the laws. The forcible uprising in virtue of Article III of the treaty of May 22, 1903, becomes forcible resistance to the authority of the United States and brings the case within the operation of paragraph 14, section 8, Article I of the Constitution, which authorizes Congress "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions."

It is believed that in section 5298 of the Revised Statutes will be found legislation of Congress in furtherance of the clause above cited. That section provides that—

"Whenever by reason of unlawful obstructions, combinations, or assemblages of persons or rebellion against the authority of the Government of the United States it shall become impracticable, in the judgment of the President, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory, it shall be lawful for the President to call forth the militia of any or all the States and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States or to suppress such rebellion in whatever State or Territory thereof the laws of the United States may be forcibly opposed or the execution thereof forcibly obstructed."

In the operation of the section above quoted it will be lawful for the President to employ the land and naval forces in giving such execution to Article III of the existing treaty with Cuba as will be calculated to preserve Cuban independence and secure *"the maintenance of a government adequate for the protection of life, property, and individual liberty."*

A discussion of the power of the President to use the land and naval forces to protect American citizens and their property and interests in Cuba would follow the lines of the foregoing discussion so closely as to make special treatment unnecessary and would lead to the same conclusion—that the duty with which the United States is charged is one which at this stage exclusively concerns the executive department of the Government.

Recurring to the discussion of the duty of the Executive, it is proper to add that if the experience of the United States Government in dealing with insurrectionary movements be studied, the same conclusion in respect to the duty of the Executive in the matter of suppression will be reached. A reference to a few cases will illustrate this. Upon the occurrence of the Whisky Insurrection in western Pennsylvania, in 1794, a proclamation was issued by President Washington on August 7, 1794, calling upon those engaged in the insurrectionary movement to retire to their homes. On the occasion of the disturbances in the Territory of Kansas in 1856 a similar proclamation was issued by President Pierce on February 11, 1856. Upon the occurrence of a similar emergency in Washington Territory in 1886 a proclamation was issued by President Cleveland on February 9, 1886, giving the evil-disposed but one day to disperse.

It is worthy of note that the most important legislation of Congress in respect to the government of the States which had engaged in rebellion in 1861-1865 was embodied in the reconstruction act of March 2, 1867, passed after the armed opposition to the laws had been overcome, and which recognized and continued the existing governments of military occupation and vested in the military commanders the necessary statutory powers to reestablish civil order therein: (Act of Mar. 2, 1867; 14 Stat. L., 428.)

Upon at least two occasions, the last in 1902, the President has intervened on the Isthmus of Panama and has used the naval forces to maintain freedom of transit under article 35 of the treaty of December 12, 1846, with Colombia. No Executive proclamation was issued in either case, and the intervention was accomplished in the operation of instructions communicated by the Secretary of the Navy, in the name of the President, to the commanding officer of the naval forces in the Caribbean Sea. In both cases the action taken by the President was reported to Congress in the method prescribed by the Constitution.

Very respectfully,

GEO. B. DAVIS,  
*Judge-Advocate-General.*

#### EXHIBIT 4.

[Translated from *El Liberal*, September 27, 1905.]

#### TO THE PEOPLE OF CUBA:

Ever since Señor Tomas Estrada Palma, in order to obtain his nomination for reelection by the Moderate party, affiliated himself with one of the committees of that party a series of arbitrary and violent acts have been committed one after the other, all having as their purpose the reelection of Señor Palma, and which have culminated in the coup d'état brought about on the 23d in the election of boards of registration, in which coercion and fraud have had scandalously shameless instruments in the police and constabulary and in public employees, whom the entire nation pays, and in salaried campaign agents.

We have qualified as a coup d'état the occurrences of the 23d, and it is easy to prove our assertion, recalling the incidents leading up to these the sad moments for the country and for liberty.

The president of the Republic, upon declaring himself a Moderate, immediately proceeded to reorganize his cabinet. It was composed at that time of Messrs. Manuel Luciano Diaz, José María García Montes, Carlos Ortiz, Eduardo Yero, and Leopoldo Cancio. None of these men would yield obediently and submissively to the realization of the vile plan that was being set on foot and were obliged to resign their posts, with the exception of Señor Yero, who, nominally and merely to continue drawing his salary, remained as secretary of public instruction. Their places were filled: Interior, Gen. Fernando Freyre de Andrade, the soul and leading spirit of the electoral movement, a man distinguished for his violent and impulsive acts, who, as fiscal of the supreme court, ridiculed congress in his reports and qualified the magistrates of the audiencia as incompetent and ignorant; public works, Gen. Rafael Montalvo, a man of manifest incompetence for public office and particularly for the portfolio to which appointed, and who stated that he would remain in office but three months at the most, reserving his former position of warden of the penitentiary, which as yet remains unfilled; Gen. Rius Rivera, likewise a man of violent character and, although upright and honest, a relation and unconditional friend of the president, and Dr. Juan Francisco O'Farrill, a purely ornamental figure, who, even though not taking an active part in the incidents to which we are to refer, is not unwilling to let things run their course with absolute indifference and inactivity on his part.

The activities of the new secretary of public works upon assuming office did not manifest themselves in the continuance of the policy of his predecessor nor in attention to works of public utility, but rather in a general change of personnel, affecting not only technical and clerical forces, but even unfortunate day laborers, of whom adherence to the Moderate party and contribution from their miserable pittance to the campaign funds were exacted. Hundreds of men were left without employment, and their places largely filled by Spaniards, improvised Cuban citizens. Thus the administration party provided itself with a numerous contingent of heelers for its manifestations and meetings and a force that, organized into guerillas, should on election day invade the polls. In order better to assure success, a brother of Dr. Domingo Mendez Capote, president of the Moderate party, was placed at the head of the scavengers and street-sweeps of Habana and jobs given in the department to pardoned jail-birds and well-known *ñañigos* of this city.

Day by day the number of employees of public works was increased in order to please everyone who could be detrimental to the plans of the government, inspectors and foremen abounding to the extent that some foremen were placed over but two men. The deficit in the appropriation for the department of public works is being covered by that for sanitary services specially provided by a presidential decree.

In the department of public instruction the demoralization is immense and the disorganization of such an important branch of the public service complete. With the

exception of the board of education of Habana it would be difficult to find one throughout the entire island that works independently of the malevolent influence of the Government's politics, and if any does exist it will not have failed to feel the ire of the administration. Gen. Freyre de Andrade is filling the post of secretary of public instruction ad interim, and admits to everyone that he has not been able to give his time to the duties of the office, but signs everything that is given to him to sign. Whether or not with the knowledge of Señor Freyre, it is nevertheless true that all the boards having a liberal majority have been disrupted, either by fraudulent elections or by direct action of the department. At times, after having admitted the illegality of an election and promised to annul it, Señor Freyre has finally decided to the contrary. In San José de las Lajas the chairman of an election board took the ballot box to his private residence, and there on the following day counted the votes. In Jobo (Guanajay) the votes of Liberals were credited to the Moderate candidates. These facts were proven in both cases, yet the election was held as valid.

In Mariel and Artemisa the Moderates file a protest, and without even waiting for the records from the board the elections are annulled. The board of elections of Ceiba del Agua is surprised one day by the knowledge that a school inspector is constituting a new board by order of the department, appointing eight Moderates in a town unequivocally Liberal. Teachers grown gray in the exercise of their difficult profession are thrown into misery for refusing to prostitute their consciences, giving to childhood the demoralizing example of reward for servility and punishment for honesty and uprightness. The school superintendents of the provinces of Santiago de Cuba and Santa Clara are dismissed because of refusal to wholly adjust their conduct to the purposes of the Government. They even go so far as to abolish a school because the ward in which it was located was composed almost exclusively of Liberals; and the sad spectacle is given of failure to open many schools at the proper time and of the termination of the scholastic year with a great decrease in school attendance, to the great discredit of the institution.

The department of the interior has reached the extreme limit of arbitrariness and unblushing shame, as the secretary has not hesitated in stating to the reporters of the press, who have published it, that a veto of Mayor Bonachea would be a veto or would be "revetoed," according as there might or might not be an understanding between the governor of the province and the Moderate party; and the press has published conferences held between the President of the Republic, the governor of the province, the secretary of the interior, and others for the purpose of concocting arbitrary measures and combinations for the evasion of the laws in connection with the questions recently arising in the city council of Habana.

It is needless to repeat in detail occurrences in the Liberal city councils of Habana, San Luis and Guanajay, of Batabano, Marianao and Guines, of Vuelgas, Camajuani, Yaguajay, Santo Domingo, Placetas and Lajas, of Santa Cruz del Sur and Guantanamo. For three years the government gave no thought to the need of the fiscalization of the city councils, but on the eve of the elections the idea occurred to it, and, may it be said in passing, only Liberal mayors have merited its attention in this respect and its anti-constitutional resolutions, in support of which even the respectable supreme court was brought into service, in that it was compelled to confirm the constitutionality of article 185 of the Spanish municipal law; that is to say, one of the discretionary powers of the captain-general to depose mayors which he himself had arbitrarily appointed. Without evidence in the support of charges, false on their face, without giving a hearing to the accused mayors, although according to existing orders of the government of intervention a mere clerk could not be dismissed on certain grounds without a hearing, not only the mayors, but likewise councilmen, in cases where the deposition of the former was insufficient to change the political aspect of the corporation, have been deposed with absolute disregard to sound and impartial public opinion.

The constitution and the laws are a dead letter for the secretary of the interior. He signs where the President of the Republic should sign, and he does what he pleases. He, in the case of Moderate meetings, as that at Camaguey, decides that residents of the country who are authorized the use of the machete may enter the town in groups so armed, and approves the action of the rural guard in disobeying the governor, who wished to prevent the meeting of armed men; yet in other places he approves the disarmament of Liberals from the country attending political meetings. He permits the governor of Habana to suspend the mayors of the capital, of Guines and of Marianao; but when the governors of Pinar del Rio or Santa Clara exercise this prerogative he revokes the suspension by telegraph without even waiting for the records in the cases or even knowing them, and in the giddiness of his ambition and pellmell rush toward tyranny, he whirls over the wires the stupendous order to mayors (Moderates) not to obey nor to comply with orders of the governors (Liberals) and to use the public forces against their superiors in office. No less imprudent and at the same time unjust is his



accusation, made in public, against the police of Habana, in order not to lose the support which he foresees the Government will need of the artillery corps.

The ayuntamiento of Habana, recently the object of public eulogy by the governor of the province, has been the theater of the shameless dismissal of more than a hundred and thirty employees, all of them tried, proven, and intelligent and most of them in the service previous to the first municipal elections and whose positions had been respected by the party that had since won on two occasions by a majority of 13,000 against 6,000 votes.

The treasury department perhaps has not taken initiative measures comparable with those of the departments of the interior and public works, yet it has consented to the appointment of large numbers of internal-revenue inspectors in addition to those already in the service and who have swelled the electioneering forces of the party, and it has stooped to discharge employees of irreproachable conduct who had refused to pay the monthly contribution levied upon all employees in the public service by the Moderate party.

The same prevails in the department of justice. The secretary may refrain from intimidating judges, but he permits the department of the interior to restrain them at will, making recommendations to them and promising friends of the government that the judges will "do the right thing" by them. The secretary continues in office, although not ignorant of the pressure put upon members of the judiciary and the nameless servility of others to the powers that be. Some audiencia or other, in which men of conscience sit who are not in the same position as instructional judges, is continually releasing accused parties after unreasonably prolonged procedure, which has served only to create alarm and fear and to put out of the way men that might be an obstacle to the government. On the other hand, many correctional judges carry their submission to the rulers to such extreme as to impose exaggerated punishment for imaginary offenses and to establish manifest duality of judgment in their decisions.

We could cite cases in which Liberal lawyers have been forced to resign the representation of their clients to Moderate lawyers, because of a belief entertained by such clients that the political inclinations of their defenders determine the recognition of their rights. It is indeed a sad state of public conscience which has thus lost faith in what should be the guaranty of the citizen and the protection of his rights.

Not until the eve of elections has it been thought necessary to create a department of agriculture in a country essentially agricultural. In the last few days the President has remembered Doctor Casuso, whom he had not previously cared to appoint, preferring to leave the office vacant. The designation of Doctor Casuso, although an election trick, has not been badly received and without doubt would have merited manifestations of approval even without Doctor Vildosola's circular to the agrarian clubs recommending such approval.

Add to the foregoing the repeated decrees of the government promulgating laws that have not been voted by Congress, such as those relating to the budget and to sanitation, or modifying others without giving a thought to the legislative power, which the President himself, and consequently his friends, daily belittle; add to all this the persecution to which Liberals are submitted, which has assumed serious proportions on account of charges of sedition and instigation of revolution, calling to mind those days when some upholders and agents of the present government assisted Spain in like tasks, and by virtue of which there are more than 800 persons in jail in Santa Clara Province, and some idea will be had of the iniquitous preparations that have been on foot for the coup d'état that again places in the Presidential chair Señor Estrada Palma, who is not acceptable to the majority of the Cuban people, and which, imitating those that have been carried out in Latin-American republics characterized as convulsive by the organs of our government, will lead up to the reform of the constitution at will.

A clear demonstration, though indeed sad, of this prologue to the tyranny that appears to be gaining a foothold in Cuba, and which, foreseen by Gen. Maximo Gomez, he tried to detain in his last days, is the incident that deprived the country of a young man of such noble soul and sound intelligence as Enrique Villuendas, the victim of vile machination, which he denounced to the supreme court shortly before dying.

We have the telegram in which an hour before his death he announces that he is all well, because they pay the would-be assassins poorly or they are afraid. Let the followers of General Aleman tell whether they, too, did not fear one day in Cienfuegos to be victims of a like fate as that of Villuendas, whether they did not have to abandon the electoral fight and some of them the city. Those who then sowed the seed of terror and those that to-day, under the protecting arm of the government, have grown powerful to an incredible extent and spread their malevolent instincts throughout

the entire province. And now they fabricate a malicious falsehood to make it appear that a dynamite bomb was found in the streets, the other day two in the sleeping room of Villuendas, and on another day six more in the adjoining room. The same tricks were resorted to during the colonial days when it was desired to throw into prison or deport antigovernmental elements. Ferrara is in the way, well arrest him; Machado is in the way, crush him; Alberdi is in the way, accuse him; Villuendas is in the way, murder him. \* \* \*

The town of Lajas has had three chiefs of police and three police forces in less than two months, and have successively been sent to jail; it was announced that the police of Sagua would be arrested during the preliminary elections, and in reality the chief, assistant chief, and two policemen were arrested and freed immediately after the elections were over.

In the province of Habana charges of conspiracy and sedition against noted Liberals abound, and if they are not put in jail it will be because they will be considered as already quelled by the audacity and force of the government.

Under such circumstances the elections for boards of registration were called. We will pass over the little tricks resorted to in the selection of voting places and even the arbitrary methods adopted in the designation of the "mesas de edad," although they went to such an extreme as to seat at that of the Villanueva ward Señor Pedro Pablo Kohly, chief clerk of the department of agriculture, who swore that on that very day he had attained 21 years of age, when he is not a year under 34.

In many of the houses where balloting places were located a large number of persons slept; the boxes were stuffed, and when the doors were opened the police prevented the entrance of Liberals, while those inside displayed revolvers, knives, and clubs.

Such happened in the city wards of San Nicolas, Marte, San Isidro, Paula, Chavez, San Lazaro, and the four wards of Regla; in other wards, Vives, Jesus Maria, Arsenal, the police searched and expelled all who did not carry a Moderate badge, and in Jesus Maria omnibuses filled with employees of public works paraded the streets, their occupants discharging firearms and hurling insults. The same omnibuses then went to other wards with hordes of heelers who, despite protests to which the committee was deaf and the police would not attend to, voted where and as often as they liked. In San Leopoldo the ballot box was stuffed in the presence of everyone and while in actual custody of the police; in Pueblo Nuevo the premises were vacated and the box substituted by another. In Colon the same individuals voted ten and a dozen times, and no one asked them their domicils or second surnames. All voting places were surrounded by pickets of police who prevented access to Liberals and who in some cases even questioned applicants for admission as to their political affiliations and asked to see their ballots. Honest men of the Moderate party will not dare deny that in the wards of San Francisco, Santa Clara, Santa Teresa, Cristo, Angel, Paula, Colon, Guadalupe, Penalver, Tacon, Jesus Maria, Pueblo Nuevo, San Leopoldo, Cerro, Jesus del Monte, Atares, Villanueva, Pilar, Dragones, San Juan de Dios, San Felipe, Monserrate, etc., the attendance of Liberals was notable and their enthusiasm high, and yet between 10 and 12 o'clock it was impossible for any of our people to vote in a greater part of the wards, as if the opposition were waiting until that hour before resorting to all the extremes at their command, and during the meantime omnibuses, wagons, and coaches of public works went the rounds of the wards filled with men, who raised pandemonium, discharged arms, the police brandished their clubs, booths were cleaned out, and ballots were snatched from the hands of electors. Numerous committees sought authorization to retaliate, but our executive committee preferred to abandon the polls rather than to flow the streets with blood and, perhaps, destroy the Cuban ideals of the Liberal party.

The Moderates and Nuñiztas have credited the Temple ward, which, according to the census, has but 431 electors, including the President of the Republic, with 1,251 votes. In Santa Clara, with 553 electors, there were 1,000 votes for the government; in Santa Teresa, where there are 541 electors and the majority Liberal, 800 Moderates and not a single Liberal voted; Paula, with 876 electors, gave them 1,348 votes; Arsenal, with 639 electors, shows 1,358 voters; Jesus Maria, with 667 electors, gives 1,300 Moderate votes; San Nicolas, with 771 electors, gives the government 1,561 votes; Chavez, with 732 electors, shows 1,393 votes for the Moderates; Pueblo Nuevo, with 763 electors, gives the Moderates and Nuñiztas 1,650 votes; Cerro, with 1,362 electors, polled 2,139 votes. In Colon, where the Liberals voted up to midday, we are credited with but 34 votes, while in San Lazaro, where we didn't vote at all, we are given 800 votes. It appears that in this ward the polling was at the rate of over six men per minute.

We have dwelt at some length on details connected with the elections in the capital of the Republic on account of its great importance, being, as it is, a city having half of

the whole number of electors in the province and so that it may serve as an example of the manner in which the elections were effected throughout the rest of the island. However, we can not but mention the municipal district of Batabano, where voting has been impossible, despite the fact that on the day previous to the elections formal complaint was filed to the effect that an armed band of 30 men was making the rounds of the rural or outlying sections threatening all Liberals dire vengeance should they show their faces; the town of La Salud, where the Liberals likewise did not vote; the town of Guines, where the police committed atrocities, arresting no less than 25 individuals; the towns of Bejucal and Santiago de las Vegas, where coercion reigned supreme; the town of Arroyo Naranjo, where the Liberal agent was twice arrested and the display of the rural guard forces in every town upon the pretext of imaginary aggression of the Liberals at the polling booths.

As we still lack full data relative to the provinces of Santiago, Camaguey, and Pinar del Rio, we will venture no remarks, although we have learned of the arrest in the latter of the distinguished lawyer, Señor Urquiaga, and in the former of two distinguished Liberals, Lic. Brioso and General San Cristóbal, and others; but we can not refrain from referring to the province of Santa Clara, now in the throes of terror and unquiet. This province and Habana, which, together with Matanzas, are to give the majority in the electoral college to Estrada Palma, were perforce the principal focus of the activities of the Government, and under cover of a hypocritical assumption of fair-mindedness they could well afford to observe strict impartiality in the remaining provinces without fear of the general result.

The press has published accounts of numberless atrocities committed in the province of Santa Clara, such as the deposition of mayors and councilmen, arrest of chiefs of police and policemen under them, discharge of firearms in towns and villages, and many other manifestations of the deliberate purpose to prevent at all costs the triumph of the Liberals, who were in the majority in almost every town.

In Cienfuegos incredulous anarchy has prevailed, and a feeling of terror dominates the city. The assault of the police in the police court on the unfortunate and heroic Enrique Villuendas, repeated in La Suiza Hotel, gives some idea of the situation. On the 23d not a Liberal appeared at the polling places.

In Placetas, where the Liberals had triumphed, 30 men armed with rifles at midday riddled with bullets the polling booth, where General Monteaugudo and Col. Severino García directed the elections. The premises were abandoned by the Liberals, and 1 dead and 6 wounded told the victory of the valorous band of guerrillas in the employ of the Moderate mayor.

In Salamanca an armed advance guard kept Liberals away from the polls, a measure which was, as a matter of fact, quite useless, inasmuch as when the polls were opened the ballot boxes were already stuffed with Moderate votes.

In Isabela de Sagua the rural guard and maritime authorities adopted measures of extreme violence and kept electors away from the polls, intimidating those who protested. In Sagua the situation was such that at 3 o'clock the Liberal hosts had to retire because of the impossibility of casting their ballots.

In the districts of Cruces and Trinidad, each having approximately 5,000 electors, of which the Moderates could be almost counted on the fingers, the aggression was such that the insignificant minority gained control of the election boards.

In Lajas the rural guard and armed civilians discharged their arms during several nights, and on the day of the election rode around the streets of the town, bringing fear to the hearts of every family.

In Esperanza, Vueltas, Camajuaní, and many other places forced retreat was the order of the day.

At present the number of men who have abandoned the towns and hidden themselves in the country exceeds 2,000, and entire families that have come to Habana and Matanzas, that have migrated from one town to another in Santa Clara and from the country into cities, are numerous. The panic which reigns in that region has compelled us to abandon our homes in search of asylum.

Such is the situation without exaggeration; indeed, on the contrary, as we omit details that would, were it possible, bring more into relief the seriousness of the situation. In the face of this situation, the executive committee of the Liberal party, fully recognizing the far-reaching effect of their determinations, has not cared to adopt them until the people should know the facts in all their horrible reality, and convokes at the same time a meeting of the national committee as the most representative body of the party, so that it may decide what action shall be taken in these critical moments.

THE EXECUTIVE COMMITTEE OF THE  
NATIONAL CONVENTION OF THE LIBERAL PARTY.

**EXHIBIT 5.**[Translation.—Editorial published in *La Discusión* on the 11th of November, 1905.]**PAINFUL FIGURES.**

The figures furnished by the provincial board of scrutiny to the department of government leave a most painful impression upon the spirits of those who really love their country and take an interest in its future.

It shows most clearly our very poor moral conditions, evident in unscrupulous and reckless acts manifested in the worst of forms—that is, to consider unnecessary the veil of decorum with which even the most shaky of society hides its bad acts.

The figures to which we refer, and which no doubt will cause the Government and Moderate party, more than to any one else, serious trouble, are those of the registration of voters for the regular elections in the six provinces of the Republic. The election leaders have shown such little brains in conducting their schemes that they have made themselves ridiculous and foolish. The schemes referred to were nothing more than to gain a victory at all hazard, which could have been gained without going beyond the limits of probability.

According to the figures given, it appears that 432,313 voters registered in Cuba. That is 33 per cent of the population of the Republic, which as everyone knows, is 1,500,000 inhabitants. It is a monstrosity, the paternity of which should be denied by its various perpetrators, because it gives them the title of idiots and bars the doors to future political aspirations.

In order that those who are responsible for the blunders committed may know the magnitude of the disgraceful act which has justly displeased the Government as well as the people in general, we wish to give them an idea of what proportion means in other countries when it refers to those who are entitled to vote, with relation to the total number of inhabitants.

In European countries, where those who have no vote do not exercise that right, the percentage of voters with relation to the population has never been more than 18, 22, or at the utmost 25. Only a small portion of the inhabitants take part in the elections, because neither the foreigners, women, children, nor old men are entitled to vote. Germany, for instance, where man is supposed to have attained an almost ideal state of perfection, has only 12,531,200 voters out of the 56,367,178 inhabitants in the Empire. France, just as liberal as Germany, gives 10,231,532 voters out of a population of 38,600,000 inhabitants.

The last returns from Great Britain give 7,066,702 voters out of 41,976,827 inhabitants. Now, then, getting down to Italy we find that out of a population of 32,475,000, only 2,541,327 registered. Spain we will not mention; more election frauds are committed there than in any other country on earth, and its defects in this sense are very similar to ours, though not as serious.

We wish to know whether we are not justified in stating that we are not satisfied with the present conditions of affairs; whether we are not justified in teaching the people what their rights and prerogatives are neglected through ignorance or carelessness; whether we are not justified in making a thorough investigation in order to ascertain who is responsible for this violation of the law; whether we are not justified in saying that this underhand work which some call politics is nothing more than various forms of crime, punishable in our code, and that politics can only be learned through books, statistics, and by comparing our politics with those of other countries.

We must stand by the people and see that they are not deprived of their rights through the flag of immorality.

Above all, getting down to the present case, we may make allowance for everything, excepting imbecility and ignorance.

**EXHIBIT 6.**

[Translation.]

**A BRIEF DESCRIPTION OF THE STEPS TAKEN BY THE VETERANS OF THE WAR OF INDEPENDENCE IN FAVOR OF PEACE.**

The following steps have been taken by several veterans of the war of independence to find the means that might end the present civil war; for which purpose the cooperation of other parties and corporations of Cuba were offered us.

Having been called on several occasions by some of my comrades, and notwithstanding the fact that I was aware of the magnitude of the undertaking, as well as of the obstacles I would have to encounter, I decided to cooperate with my friends in favor of peace, having previously publicly stated, through the newspaper "La Discusion," my personal views of the present conflict and its causes, and stating besides, in a most determined manner so as to leave no room for doubt, the capacity in which I was willing to lend my personal aid—that is, by observing strict neutrality between the contending parties. With a white flag and appealing to the patriotism of all to end this family quarrel, which for the future as well as for the stability of the Republic should be settled among ourselves, thus avoiding all possibility of intervention on the part of the United States, enforcing the powers granted them by the treaties.

With this programme, which explained my line of conduct, I called upon the President of the Republic a few hours after my arrival in Habana, offering in the manner I have stated the cooperation of the veterans, who were of my opinion, in order to reach an understanding between the Government and revolutionary forces. The President received me very kindly, stating that he accepted with pleasure the cooperation which I offered him and that—these were his words: "I am willing to do all that which may be consistent with the dignity of the Government."

The kind reception given me by the President as well as by General Montalvo and Colonel Foncs, secretaries of the interior and finance, respectively, encouraged me, being convinced that notwithstanding what had been published in the newspapers, the President was disposed to accept any solution which did not impair the prestige of the Government. This appreciation was later corroborated by facts; as all the passes which I solicited for the veterans who were negotiating for peace, in order to communicate with the revolutionary leaders, were granted. My request for a suspension of hostility was also immediately granted by the Government, as well as by the revolutionary leaders in Habana, Santa Clara, and Pinar del Rio. These facts could have no other interpretation than the one given by everyone: that the Government was willing to come to an understanding. It was not reasonable to suppose that the Government on making those concessions had in view the simple and plain submission of those in arms against the Government, because it had for that purpose issued an edict of a negative nature. We started the negotiations with well founded hopes, obtaining almost immediately from the leaders in arms the acceptance of our mediation. All this work was quickly accomplished, due to the assistance we received from the Government, who furnished us with all means of communication. A meeting was being arranged with the leaders of the revolution, when it became known to the committee of veterans in charge of the peace negotiations that all of them were willing to lay down their arms immediately *if besides certain concessions, referring to specified modifications which should be introduced in the laws, the senators, representatives, provincial councilmen, and civil governors elected in the last elections resigned their respective offices, with the exception of those members of Congress and provincial council which might be necessary to have remain in office for the proper running of the aforementioned organism and that they were willing to have the President and Vice-President of the Republic continue in office; if the former promised to modify his cabinet with neutral parties and to reexamine the proceedings which were instituted against the ayuntamiento which had been removed, for which purpose he is given a vote of confidence.*

Immediately on the evening of the 9th I consulted this proposition with the President of the Republic, who deemed it acceptable in principle in what referred to the resignations, because it did not imply nor make necessary any agreement on the part of the Government; but that he did not accept that part which referred to the modifications of the members of his cabinet nor to the reexamination of the municipal proceedings, because in his opinion it would impair his authority, adding that he would not decide anything until he had consulted the proposition with his secretaries and Mr. Mendez Capote, Vice-President of the Republic, and president of the Moderate party. On asking him whether he was willing to support that part of the proposition which he deemed acceptable, he answered General Eugenio Sanchez Agramonta, who was present during the interview with me, that he was willing to render every assistance and that he would not be an obstacle, but that it was impossible for him to ask anyone to resign an office obtained through election.

Well impressed with the answer given us by the President, we consulted the proposition that very evening with the civil governor, General Emilio Nufez, who in turn also found it acceptable; remarking, very wisely, that the offices of provincial governors when vacant through any cause should be filled, according to the provisions of the constitution of the Republic, by the presidents of the provincial council until new elections were held.

Mr. Mendez Capote, who we interviewed shortly after, told us that he did not like the proposition, indicating some obstacles which in his judgment were difficult to over-

come, adding that notwithstanding his personal opinion, if the President accepted it he would do likewise.

At the stage of the negotiations Gen. Sanchez Agramonte informed me that at an interview which he had with the President the night before, the latter had told him that the aforementioned propositions were not feasible; that he did not propose to support that nor any other, because he would make no agreement with those whom he considered rebels, criticising Mr. Agramonte and myself for not having placed ourselves unconditionally at the disposal of the Government to put down the rebellion.

This statement greatly surprised me and I decided to see the President and the secretary of the interior immediately. I was unable to see the President, because when I arrived at the palace he was holding a conference with Mr. Mendez Capote, but I did see General Montalvo who confirmed what the President had told General Agramonte the night before, adding that he had decided to immediately suspend the truce agreed upon, granting, however, at my request, to notify me some hours in advance to enable me to notify the revolutionary leaders, who had suspended military operations at my request.

Not wishing to take any action that might prove prejudicial to our efforts in favor of peace, notwithstanding the statement made by General Montalvo, we decided to send a commission composed of Generals Cebreco, Sanchez Agramonte, and the undersigned to call upon the President in order to clear up this new and serious aspect which the matter had taken before declaring our work in behalf of peace at an end. We went to the palace and immediately obtained an interview with the President who ratified what Mr. Montalvo had said.

We are still ignorant of the reasons which might have caused such a radical and sudden change in the attitude of the President, but as we deemed that it constituted an insurmountable obstacle to the end we had in view, we, the veterans, decided to suspend all steps which we were taking, leaving to others, more able or more fortunate, the task of warding the imminent danger which threatens our nationality, if this civil war is not stopped shortly.

M. S. MENOCAL.

## EXHIBIT 7.

### TRUCE CORRESPONDENCE.

AMERICAN LEGATION,  
*Habana de Cuba September 23, 1906.*

MY DEAR GENERAL GUERRA:

The Hon. William H. Taft, Secretary of War, instructs me to say that Captain Colwell tells him that he had a conversation with you in which you advised him that you expected to move your troops to-morrow nearer to the city of Habana.

It is true that the conditions of the truce have not been clearly defined, and therefore there is an indefiniteness with reference to what conduct ought to be pursued in good faith by both parties, but it seems to the Secretary of War that one necessary condition of the truce is that you ought not to move nearer to Habana.

The Secretary appreciates the fact that it is necessary, in order to feed your horses, that you move from time to time, but if this movement must be made it seems to him that it ought to be away from Habana, rather than in a direction toward Habana.

He also received a message from Captain Colwell and Doctor Laine that Colonel Avalos had arrived at Guanajay this morning from Artemisa and that he was approaching your forces on the road from Guanajay.

Secretary Taft at once made inquiries and found that Colonel Avalos was not ordered to move beyond Guanajay, but in view of a possible collision the Secretary suggested to the Government that it might be wiser to order Colonel Avalos to proceed to Mariel, and he has been assured by General Montalvo that this order has been issued, in view of which fact you will please issue the necessary instructions in the event that any of your forces may still be in the vicinity of Mariel.

The Secretary is hopeful that he can reach a conclusion in this matter by to-morrow or the next day, and he therefore asks you, in the sincere hope of peace, that you do not take any further steps forward.

The President of the United States has directed Secretary Taft to take the necessary steps to preserve and protect property in Habana, and if your forces and those of Gen. Loinaz de Castillo are moved forward to a point where that protection can not be made effective without landing forces from the fleet, the Secretary will be obliged to give the order. This he is most anxious to avoid on every account, and especially

because he does not wish to put a feather's weight in the way of the peaceful solution of the present difficulty.

I beg of you to communicate the contents of this letter to Gen. Loinaz de Castillo.

Very respectfully,

FRANK R. MCCOY,  
*Captain, United States Army, Aid-de-Camp.*

AMERICAN LEGATION,  
*Havana, Cuba, September 23, 1906.*

SIR: A truce or suspension of arms having been decreed by the President of Cuba and proclaimed to the forces of the Liberal party by their leaders, I, as intermediary, for the purpose of arranging for permanent peace, have the honor to request that the opposing parties specifically agree during the truce to refrain from all acts of hostility and to desist from all military operations of a hostile character, and from all preparatory movements or maneuvers which could have been performed during the continuance of hostilities or which would have been performed under fire of the opposing party.

1. No movements of troops to take place on either side without notification to the opposing authorities (viz, the secretary of Government of Cuba and Señor Alfredo Zayas, representing the Liberal party) and the American Peace Commission.

2. This truce to be effective throughout Cuba.

3. If either party violates any expressed conditions, the opposing party shall not take hostile action until after complaint and notification to the Peace Commission.

4. Hostilities will not be resumed for at least twenty-four hours after notification to the Peace Commission.

It is requested that acceptance of these conditions be made in writing to me.

Very respectfully,

WILLIAM H. TAFT,  
*Secretary of War of the United States.*

Sent Secretary of Government and Señor Alfredo Zayas. (Copy to Captain Couden.)

PARTIDO LIBERAL DE CUBA, PRESIDENCIA,  
*Havana, September 24, 1906.*

Hon. W. H. TAFT,  
*Secretary of War of the United States.*

SIR: Received your official letter concerning the conditions that must be observed by the forces of the Government and those of the Liberal party. I, as president of said party, and after consulting some of the chiefs in arms, have the honor to express my entire acceptance thereof.

I will communicate the contents of your letter to the chiefs in arms in order that they may adopt in consequence the corresponding measures for the observance of said conditions.

Very respectfully,

ALFREDO ZAYAS.

EJERCITO CONSTITUCIONAL, PRIMERO Y SEGUNDO CUERPOS,  
CUARTEL GENERAL,  
*September 24, 1906.*

Hon. MR. TAFT,  
*Secretary of War of the United States.*

DEAR GENTLEMAN: We have just received your esteemed favor of yesterday signed, under your order, by Captain McCoy.

You refer to a reported movement of our forces nearer to Habana.

A mistake has certainly been made about said movement. Nothing of the kind has been ordered. We have only prepared a plan by which, without approaching the enemy's lines, more than we are now, the forces may find pasture for the horses and resources for the maintenance of the men. And we also decided that, before moving the forces, you should receive full notice of the places designated for each force. These are: From the western Calzada (where now we are) to the sea, to camp General

Guerra's forces (first corps); and the following places for the forces of the second corps, under Gen. Loinaz del Castillo, viz: Headquarters and Guas's brigade on the river Almendares and Vento road from Capdevila to kilometer 5, from Habana (the guard at a distance of 4 miles from the Cerro, the nearest suburb of Habana). The Arencibia's brigade, also under Gen. Loinaz del Castillo, would move to the surroundings of Calabazar, on the fourteenth kilometer from Habana, and from there to Santiago de las Vegas. The Asbert's brigade, also Gen. Loinaz del Castillo, would move around Somorrostro, on the road from Habana to Guines, a distance of about 15 miles from Habana.

The designation of those places has had for only motive the circumstances of pasture and resources there abounding, and by no means any hostile demonstration against Mr. Palma's forces.

In those places, besides, we had forces of ours during the hostilities, as even Arroyo Naranjo (nearer to Habana than Calabazar), was many times occupied. The engagement of *Wajay*, where Mr. Palma's forces were routed and dispersed, took place within these lines.

We reiterate to you our decision to march to said places only when on receipt of your approval, and we hope to receive your reply, therefore, as soon as possible because we would wish to release at once this vicinity of the burden of supporting, longer, ten thousand men.

In reference to Colonel Avalos's movement, we fully appreciate your prompt action in avoiding a new disturbance.

We are grateful for your decision not to land any American forces, unless driven to it by extremities, which, indeed, can not occur.

We beg to remain, gentleman,

Yours, sincerely,

E. LOYNAZ DEL CASTILLO,  
*El Mayor General, Jefe del Segundo Cuerpo.*

FAUSTINO GUERRA,  
*El Mayor General, Jefe del Primer Cuerpo.*

AMERICAN LEGATION,  
*Habana, Cuba, September 24, 1906.*

Maj. Gen. FAUSTINO GUERRA, *Commanding the First Corps, etc.*, and Maj. Gen. ENRIQUE LOYNAZ DEL CASTILLO, *Commanding the Second Corps, etc.*

GENERALS: I have the honor to acknowledge your letter of even date informing, in accordance with the terms of agreement, of contemplated movements of your forces.

In view of the fact that the Government forces have held during hostilities and since the line Mazorra-Vento, the Secretary of War of the United States is of the opinion that the proposed destination of the Second Corps, under General Castillo, on the River Almendares and in the Vento road to kilometer 5 in Habana, would not be in accordance with the agreement of the 23d instant and would probably cause collision with the Government forces. He requests, therefore, that General Castillo's forces do not approach the Vento nearer than Wajay.

Very respectfully,

F. R. MCCOY,  
*Captain U. S. Army, Aid.*

SEPTEMBER 25, 1906.

GENERAL: The Secretary of War directs me to inclose to you herewith copies of a letter addressed to the secretary of Government of Cuba and also to Señor Alfredo Zayas, representing the Liberal party.

Secretary Montalvo accepted the conditions with the unimportant exception of agreeing to notify Señor Zayas as representing the Liberal party.

Señor Zayas, on behalf of the revolutionary committee and the chiefs of his party in the field, have accepted the truce in its entirety.

With compliments, I am, very respectfully,

F. R. MCCOY, *Aid.*

Gen. ORESTES FERRERA,  
*Commanding the forces of the Liberal Party, etc., Santa Clara de Cuba.*



## EXHIBIT 8.

## MANIFESTO OF THE REVOLUTION.

HABANA, July 28, 1906.

The undersigned, believing it of vital necessity to reestablish in Cuba the power of the constitution and of the laws systematically violated by the men who retain public power against the will of the people who are kept away by force from the electoral precincts,

Resolve:

First. To constitute themselves into a junta in order to arrange and carry out all matters necessary to eject from power those who retained it illegally.

Second. The movement is due to the fact, recognized by all, that the last alleged elections are null, and for this reason one of its primary objects is to declare vacant the posts of President and Vice-President of the Republic and of civil governors of the six provinces, as well as those of the senators, representatives, and provincial councilors who were to have been elected on the 1st of December of last year.

Third. The aforesaid vacancies having been brought about, the movement, which does not respond to the interests of factions nor to the satisfaction of personal ambitions but to the necessity of restoring the power of the constitution, will follow in its ulterior development as far as possible the precepts of the fundamental code.

To this end, as soon as those who hold office illegally have been expelled from power, that portion of Congress formed by the senators who entered upon their duties in April, 1902, will meet. The Congress thus constituted will elect an ad interim President and Vice-President of the Republic and will call elections to definitely fill the vacancies of President and Vice-President of the Republic, civil governors, senators, representatives, and provincial councilors.

Fourth. In accordance with the doctrine of the "juspostliminium," the alcaldes and councilors, who were arbitrarily dispossessed by the Executive since he constituted the electoral cabinet, will be replaced in office.

Fifth. Being inspired by no desire of vengeance but by that of restoring to the Cuban people the possession of its rights, the directors of the insurrection promise to respect life and property, as well of foreigners as of citizens; to persecute no one for former acts, and to shed no more blood than may be necessary to overcome resistance on the part of those who insist in defending an illegal government, which it is proposed to overthrow.

Sixth. The preservation of the national funds will be procured by all means, as also the reestablishment of order wherever it may have been disturbed, and of the normal course of all public services.

Seventh. The undersigned, as directors of the movement, agree to respect the acts of the provisional government elected by Congress in the form provided by article 3, and to assist the same in the holding of real elections, to give the country a definite government designated by the popular will, and which therefore all are under obligations to respect and assist.

Eighth. The undersigned solemnly declare that they will not cease in their endeavors until they have returned to the country its constitutional rights, but that as soon as the provisional government is established they will resign into its hands the authority they exercise as directors of the movement.

Ninth. They declare in the same manner that the insurrection is not carried on on behalf of any candidate for the positions which are to be vacated, but that constitutional legality being once reestablished all Cubans may procure by legitimate means the triumph of their aspirations.

HABANA, July 28, 1906.

*Additional article.*—Contracts made by the undersigned with those who assist their undertaking will be sanctioned by the provisional government, and the undersigned will endeavor to secure their payment as a debt of honor.

In the third place, a truce or armistice of ten days while peace negotiations are in progress was decided upon, and the boundaries within which the contending forces must remain have been determined.

And, finally, the insurgent leaders ask that the president of the provisional government, who is to direct the new election, be appointed as soon as possible, expressing also the strong desire of the insurgents to arrive at an early termination of matters without further shedding of blood in armed strife.

The commission of Mr. Mariano Guas and Dr. Lucas Alvarez Cerice, which visited the camp of Brigadier Dr. Carlos Guas in representation of General Menocal, also brought a document drawn up in terms similar to the above, in which are embodied the conditions exacted by the insurgents, a glad acceptance of General Menocal's mediation and an armistice of the same character.

Brigadier Asbert, as well as Brigadier Guas, immediately dispatched several commissions ordering the forces under their command, which operate in the Province of Habana, to suspend operations during the ten days agreed upon.

### EXHIBIT 9.

[Translation.]

[Moderate party—Brief answers presented by Dr. Domingo Mendez Capota.]

#### GOVERNMENT BY ONE PARTY OR JOINTLY BY TWO PARTIES.

If the practicability of a government cabinet composed of elements of both parties of the island were to be carefully studied, the conclusion would necessarily be reached that not even in practice—for in doctrine it is absurd—could such a compromise of our present difficult situation be beneficial to the public interests. Of this we have had experience. When the Republic was constituted, Mr. Estrada Palma belonged to no party and governed with a council of secretaries composed of members of different political parties, and this cabinet soon terminated with serious internal dissensions. Even after Mr. Estrada Palma became affiliated with the Moderate party he was not characterized as a party man; his cabinets have never been purely Moderate, and it is precisely to this lack of unity and intimate connection with a responsible party that the few difficulties he has encountered have been due. We believe that, far from procuring a joint government of two political parties, our Government should be purified in the opposite direction until the Government cabinet becomes absolutely identified with a political party which would give greater unity and greater representative character to acts of the Government, make the responsibility of the Government party clearer, and thus increase its activity. A party government, not, naturally, a government in favor of a party, but a government in the name of a party and in behalf of the country as a whole, is what we would aspire to, not only because that is the custom in all civilized nations, but because such a course is even more necessary in young countries, where the government stands in need of great authority, which it can only obtain when it has a determined programme and is supported by a great current of opinion represented by some political party.

#### MUNICIPAL AND ELECTORAL LAWS, GUARANTEES AND TIME FOR BRINGING THEM ABOUT.

The Moderate party is sure it can reach an agreement with the Liberal party if this party limits its requirements to the settlement of a future right. In drafting municipal and election laws we would, for the love of our country, and to escape from any suspicion, make any concession our political adversaries may demand. We desire an electoral and municipal law about which it can never be thought that they are passed by the majority of Congress for its own predominance and benefit, and we would therefore defer in this respect to the modifications and amendments the minority may present.

The guarantees for the carrying out of the electoral law which may be passed would be embodied in the law itself, which would deprive the Government of any intervention or influence in the electoral mechanism; but if extra legal guarantees should be required from the Moderate party, we shall not refuse them, being disposed to constitute, in addition to electoral legislation, mixed party tribunals or tribunals of respectable and independent persons, who as arbitrators might resolve our differences in the electoral colleges. We are also satisfied to submit dissensions arising in the application of the electoral law to existing bodies, such as for example the supreme court of justice.

Congress could be called in special session with the object of agreeing upon and passing these laws, and by discussing one in the House while the other is debated in the Senate it is quite possible that three weeks would be sufficient to present both for the approval of the Executive.

## EXHIBIT 10.

[Translation.—Mr. Zayas's suggestions after notification that Palma must be continued as President.]

ARTICLES WHICH MAY SERVE TO SOLVE THE PRESENT CONFLICT IN CUBA, RESTORING THE NORMALITY AND ASSURING PEACE IN THE FUTURE, BECAUSE RIGHT BEING REESTABLISHED LIBERTY WILL BE ASSURED.

First. The revolutionary committee, which has the powers and confidence of the insurgents in arms, binds itself to secure the acceptance by these of the agreements which are adopted; and the Liberal party, conjointly with those elements, and which has given a public vote of confidence to its President for these matters, agrees to carry out all that corresponds to these articles.

Second. In order to prevent difficulties which may arise from a declaration of the nullity of the elections, the President and Vice-President of the Republic and the Senators, Representatives, governors, and provincial councillors, who appear as having been elected in December, 1905, will be asked to resign from their respective offices.

As a proof that neither the revolutionists nor the Liberal party aspire to fill the first places of the nation, it may be agreed that the President of the Republic might not present his resignation, and that the office of the Vice-President remain vacant, as happened when Señor Estevez resigned in 1904.

In case the President should think that he should not continue holding his office, and if he should resign at the same time as the others elected with him, the application of the existing law would be the election of a new President by Congress, but in view of existing peculiar circumstances it could be arranged so that Congress could appoint a provisional president only, or a committee, also provisional, which would govern until the election of a new President by the people. Neither the provisional president nor the members of the committee, should there be one, should be of the Congress or persons identified with politics, but they should be persons of independence and respectability. The directors of the revolution shall also be excluded from that or any other office during the temporary period, in accordance with an agreement arrived at not to accept them.

The Senators and Representatives having resigned, the Senate and House will be reduced to one-half its membership, this not producing any legal complications, because the Senate has decided, at the instance of Doctor Dolz, Moderate leader, that the quorum of two-thirds, and of one-half plus one, required by the constitution to carry on legislative business, is not to be calculated with reference to the total membership of each legislative body, but to the total number of members in office at any given time, so that even if more than half should resign there would nevertheless be a quorum, if one-half plus one of the members remaining were present at the session. With such quorum the Senate has approved appointments of judges of the supreme court, and the supreme court, in deciding an appeal as to the constitutionality of the proceeding, has sanctioned this interpretation.

In this way, even if at any time the President and the Vice-President of the Republic, the secretaries who would substitute them, and part of the Senators and Representatives were to resign their posts, the difficulty would immediately be resolved as soon as those Congressmen who had not resigned met in the legal proportion, calculated with respect to the number of such Congressmen.

The resignation of the governors does not carry as a consequence new elections, because they are substituted, according to law, by the president of the provincial council, and there being no president, by the first and second vice-presidents, and should these have resigned, the existing councillors will elect a president who will occupy the office of provincial governor.

Perhaps those who resign the aforesaid offices would accept a sum corresponding to the amount of their salary during the unexpired portions of their terms.

Third. Immediately upon meeting, Congress would proceed to adopt the following measures:

- I. The acceptance of the resignations.
- II. The designation of the provisional president of the Republic or of the provisional committee, as may be determined.
- III. The drafting of an electoral law with the reforms recommended by experience.
- IV. A call for elections, designating the days on which they are to be held and including in them elections for municipal offices.
- V. The approval of a law of amnesty for all previous acts of a political nature.

VI. The approval of a law annulling the removals by the Government of *alcaldes* and councillors, effected since the appointment of Gen. Freyre de Andrade as secretary of the interior.

VII. The approval of the municipal law pending in the Senate, and which should take effect when the newly elected *alcaldes* and councillors enter upon office.

The election period should commence two months after the meeting of Congress, and the electoral law should provide for a board of supervision and direction of all matters pertaining to elections, formed by an equal number of members from both parties and presided over, with voice and vote, by a judge of the supreme court of justice.

In the municipal law the principle will be adopted that the *alcaldes* and councillors can only be suspended and removed by judicial order, and the *ayuntamientos* will be given the independence which the constitution concedes them.

Fourth. In the first legislature the political parties will obligate themselves to approve the organic act relative to the judiciary and employees, on the basis of demonstrated competence, of promotion for merit and time of service, and of unremovability.

Fifth. They will also obligate themselves to approve in this first legislature, after the elections, a law organizing in the Republic special offices for the civil registers, charged with forming and keeping up a register of residents, from which electoral lists can be formed, which can be increased, diminished and corrected, at certain time and on petition of voters, the boards of registration being thus discontinued for the future.

Sixth. The political parties, through an authorized committee, will solemnly obligate themselves to present candidates only for a majority of the offices, respecting the right of the minority. They will also agree in the same way to respect the result of the election, and to unconditionally support the Government in case of new disturbances.

Seventh. The provisional president having been appointed, or the provisional committee, as the case may be, or, if the present President should not resign, when the call for elections is determined upon the revolutionists will lay down their arms and return to their homes, and the Government will at the same time disband the militia and guerrilla forces, which until then may retain their respective positions; and the operation of the law regarding the increase of the rural guard and artillery will remain in suspense.

After the resignation of the Representatives of the last election the House will be composed of 14 Moderates, 8 Liberals, 6 Independents, and 3 followers of General Nuñez; so that even supposing that the Independents and the Liberals were to be united they would have the same number as the Moderates, and less than these and their allies, the Nuñistas; and after the elections, supposing that the Liberals obtained the majority in all six provinces, which is the most they could obtain, they would still not have the majority of the House, but only 30 Representatives in a total of 63.

As regards the Senate, the half not resigning would be composed of 5 Independents, 4 Liberals, and 3 Moderates; and as it is probable that the Liberal party will not win the election in the Province of Matanzas, even supposing it won in all the others, it would have 14 Senators in a total of 24.

As will be seen, the Liberals would not gain absolute power, but the forces of the political elements constituting the legislative bodies would remain well balanced, for which reason if the present President resigns it should be determined what person or persons would substitute him provisionally before the convening of Congress, so as to avoid a struggle there; and if the present President does not resign it should be agreed that of his secretaries 2 shall be chosen by him from among the Moderates, 2 others from among the Liberals, and the others should be Independents or men not connected with the political organizations, the first 4 being chosen by him from a certain number of persons privately suggested by the presidents of the parties.

#### EXHIBIT 11.

[Translation.]

#### BASES WHICH THE NATIONAL PARTY BELIEVES MIGHT SERVE AS A SOLUTION OF THE TROUBLE.

First. Reform of the electoral law, assuring the right of the minorities in an effective manner.

Second. Promulgation of the municipal law in a form as decentralized as the constitution permits.

Third. Promulgation of the judiciary law, guaranteeing the unremovability of judges and courts.

Fourth. Promulgation of a law of employees under which political affiliation can be neither a direct nor indirect cause for their removal.

Fifth. Reinstatement in their respective posts of the public officers who have taken part in the rebellion, with the exception of those who belonged to the armed forces of the Republic.

Sixth. Upon the promulgation of the municipal law, a call for municipal elections within sixty days thereafter.

Seventh. The passage of all the laws to which the foregoing bases refer within thirty days after their acceptance.

Eighth. General amnesty for political offenses and others committed because of the rebellion.

Finally, the renewal of the Cabinet might be obtained and the President might appoint secretaries who, if possible, should not be prominent in politics.

D. TAMAYO.  
J. M. GOVIN.

### EXHIBIT 12.

HABANA, *September 24, 1906.*

My DEAR MR. PRESIDENT:

When we visited you this evening we had dictated a letter stating the situation as we have come to understand it, which we intended to present to you as a basis for the action which we asked you to take. In the disappointment at your decision we did not leave the letter with you, but we have decided to make one more appeal and submit this statement.

The condition in which we find the Republic of Cuba to-day is one that must cause the deepest sorrow to all her friends. There are in arms at least 15,000 men, whose avowed purpose is to subvert the present government unless certain alleged reforms be granted. From the information we have received they have the sympathy of a majority of the people in the island. We have been informed by Secretary Montalvo and General Rodriguez, commanding the forces of the Government, that the Government could not resist the insurgents if they now marched into Habana, and that the island is in a state of anarchy. This is in confirmation of the telegrams sent by your direction to President Roosevelt before the President wrote his letter to Señor Quesada and before we left the United States. Our information from other sources is to the same effect. The result of a war between the government forces and the insurgents would mean great disaster to this country and probably an overturning of the government. Even if the insurrection were suppressed by the intervention of the United States it would probably be only after great loss of life and the destruction of much capital now invested in Cuba. To prevent this war and this destruction President Roosevelt has sent us to see whether we could not by mediation bring about peace. Of course, it may be conceded that under ordinary circumstances, with a government able to maintain itself, persons in arms against it should be dispersed by force or compelled to surrender; but because this would entail a war of dreadful destruction to Cuba the President has been most anxious to avoid intervention and to make an earnest attempt by tendering his good offices to bring the warring forces together in peace. Before our arrival an effort had been made by General Menocal, with your consent, to compose the differences. Under these conditions it was no time to stand upon the general maxim and theoretic truth that rebels in arms against a constituted government can not be treated with. We called upon you on our arrival and secured your permission to consult with the leaders of the Liberal party who represented the insurgents, and later, under the safe conduct of your government, we had an interview with the leading generals of the insurgents, in order that we might obtain a delegation of authority to a committee with whom we could deal in our negotiations.

The issue upon which the conflict has arisen is the fairness of two elections which were held in 1905, the preliminary election in September and the main election later, for a president, a vice-president, one-half of the senate, one-half of the house of representatives, and all the governors of provinces and their councillors. The Liberals claim that the unfairness of the elections requires that the officials declared elected should resign or be removed and new elections held.

Of course it has been impossible for us to determine as in a judicial hearing upon proper evidence the truth of the charges made. With men in arms, with battles at

hand, and with the enormous destruction of Cuban property that the war, if it follows, will necessarily entail upon the island, it is no time for the nice weighing of evidence or a decision that would have the sanction and exactness of a judicial judgment. For us, as mediators, it is only to suggest probabilities as a basis for proposed compromise and concessions. It is often in the nature of a compromise that its terms be inconsistent.

We think that the electoral law is defective in offering much opportunity for abuse by the government of its power in controlling the result of the elections. There is reason to believe that agents of your government, but not yourself, used the election law to exercise such control. How should this fact affect the action to be taken in respect to the officers elected?

1. Take first the case of the president. We think that had no such use of the election law been made, you would still have been elected president. Even if it were doubtful, the election should not be set aside or disregarded, because you have been inaugurated president and accepted as such for nearly a year. You ought not to be asked or permitted to resign under such circumstances, and the Liberal contention in this regard can not be sustained.

It is not in the interest of Cuba that the continuity of constitutional government be broken and your continuance as president will be the best evidence of its preservation. You have made the credit of Cuba abroad very high, and by the confidence of the world in your honesty and conservatism you have induced the investment of capital. The present deplorable conditions have shaken Cuba's financial credit and have frightened capital. Your continuance as president will go far to restore former conditions.

2. We think it clear that all the Moderates in the house and the senate and all the Moderate provincial governors would not have been elected had the Liberals not withdrawn from the main election on account of the unfairness of the preliminary election. It is impossible now and under the circumstances of the present emergency to determine how many would have been elected. It seems to us that a reasonable compromise under the conditions is the resignations of those who were elected at the last election to the house and the senate, and as governors and councillors of the provinces and a special election of their successors.

The resignations of the senators and congressmen should take effect at once. The governors and the provincial councils should tender their resignations to take effect January 15, 1907, i. e., fifteen days after the election of their successors.

3. Another question presented by the Liberal party to be decided is in respect to the restoration of certain municipal alcaldes and councils who were removed from office in the various provinces during the present administration. Our impression is that some of these removals were made at a time so near to the election and under circumstances as would justly give rise to the inference that they were secured by representations of government agents with a view to controlling the election, but it is also doubtless true that some of the removals were made for just cause. Take the case of the present ayuntamiento of Habana as an instance. This was appointed long after the election, and is composed of men of high character not active in politics. It is impossible for us now to distinguish between the two classes of removals. It would be very embarrassing under the law of succession now in force to arrange the removal of the present officials and the restoration of the old ones. It seems therefore, the wisest plan to provide an election for the successors of all municipal officials in the island in three months, as we suggest below.

It is well known that you, Mr. President, began your administration as a member of neither party, but that in order to make your services to the Republic more efficient you concluded to identify yourself with the Moderate party. Without the slightest doubt of the honorable purpose and high patriotic motive that you had in this, and conceding to the full the great effectiveness of a partisan executive in a constitutional government under normal conditions, we venture, with deference, to think that the change has proven not to have been wise under the peculiar circumstances. There is no difference in the political or economic principles of the two parties. The only difference is personal. Under such circumstances we think the wiser policy is to resume the course which you first adopted. We urge, therefore, that you accept the resignations of your present cabinet, which we are advised they are anxious to tender to you, and that you appoint a cabinet selected without regard to party.

There are important legislative provisions required by the constitution which, during the four years last past, have not been enacted into law. They are, first, a law for the organization of the municipalities on principles which shall establish a substantially local self-government, restrained only by provisions for the discipline and removal of those officials who shall be found guilty of incompetency, corruption, or malfeasance in office after an adequate hearing; second, the enactment of an electoral

law which shall contain sufficient provisions by cumulative voting or otherwise to secure a representation by the minority, and which shall also put the control of the elections under a nonpartisan bureau of elections, vested for a reasonable time before and after the election with the control of the police, the registration, and the counting and certifying of the vote, so as to prevent for all time the use of election machinery to control the result; third, a law for the selection and promotion of civil servants by competitive examinations, not only in the ordinary civil service, but also in the police and the rural guards; fourth, a law making all the judiciary independent, by providing that removals shall only be by impeachment.

The resignation of the members of the house and senate will not, as I am informed under judicial construction of your constitution, require a suspension of the legislative function of congress. It will be necessary, however, to hold an election for the unexpired terms of those who resign. These elections should be held at as early a date as possible consistent with the enactment of a new electoral law. We think January 1, 1907, a proper date. Elections for the municipalities under a new municipal law should also be held at the same time. The laws should be drafted and enacted with all convenient speed. It seems to us that these laws might well be prepared by a commission consisting of an equal number of the two large political parties, together with an American-jurist, to be appointed by the President of the United States. This commission could, by majority vote, recommend the form of laws which the two large political parties might agree in advance should be adopted by the existing congress.

Of course, the great object of this compromise is to produce peace and a continuance of the government under the constitution. Therefore immediately upon the resignation of the members of the house and senate the persons in arms against the government should lay down their arms and disperse to their homes, the arms to be delivered to a committee consisting of Cuban veterans who have not taken part in the insurrection, and of American officers. At the same time a general amnesty for political offenses growing out of this conflict should be granted by executive and legislative action.

This arrangement involves concessions of a material character and weight on both sides. They are not to be taken as admissions by either party of its own wrong or of the injustice of those of its contentions not sustained, but only as an evidence of the patriotism of both sides in being willing to yield what they regard as their due for the peace of this beautiful country.

If this proposition meets with your approval, Mr. President, and you, though reluctant to concede some of its terms and dissenting from any inferences to be drawn therefrom, will acquiesce in such a compromise and do what you can to carry it out, we shall attempt to bring the Liberals and Moderates to an agreement on the lines substantially above stated.

Of course, Mr. President, if you can suggest any other basis for compromise more agreeable to you, to which both parties will agree and secure peace, we shall be delighted to hear it and use our utmost endeavor to carry it through.

President Roosevelt and we are fully aware that you would much prefer to resign your office under the conditions now existing, but if the proposed compromise can be effected, the President sincerely hopes that you will add one more to the great self-sacrifices which in forty years of a most honorable and strenuous life you have made for your beloved Cuba.

Very sincerely, yours,

WM. H. TAFT.  
ROBERT BACON.

His Excellency, TOMAS ESTRADA PALMA,  
*President of the Republic of Cuba.*

To the foregoing letter we received the following answer:

[Translation.]

REPUBLIC OF CUBA,  
EXECUTIVE MANSION,  
*Habana, September 25, 1906.*

HONORABLE WILLIAM H. TAFT and ROBERT BACON,  
*Members of the American Peace Commission in Habana.*

HONORABLE SIRS: I have the honor to acknowledge receipt of your note of yesterday, the 24th, setting forth in general your opinion as well as your point of view, in accordance with your personal investigation, regarding the cause of the present rebellion in Cuba, the present condition of affairs and the way to put an end to it, in order to give the country the desired peace, order and tranquillity.

I might raise some objections, and justify them, regarding the number of armed men and sympathy which you ascribe to the insurgents, but it being useless, now, to enter into considerations of this kind, in view of the line of conduct which you have traced for yourselves and your decision to obtain peace at any cost, be it sufficient to my courteous intention to reply to your note, to reiterate here, in synthesis, what I stated in the interview which you had the kindness to hold with me last night, or in other words that the conditions which you deem are absolutely necessary to get the rebels to lay down their arms are against my personal decorum and the dignity of the Government over which I preside; therefore, my decision to present before Congress the resignation of the official position to which I was elected by the will of the Cuban people, in the last presidential elections, is irrevocable.

I am yours, with the highest consideration,

T. ESTRADA PALMA.

HABANA, September 26, 1906.

DEAR MR. PRESIDENT: We beg to acknowledge receipt of your favor of the 25th of September, in which you reply to our letter to you commenting on the existing situation and making a suggestion of a compromise between the Moderate and the Liberal parties and asking you to aid in carrying it out and inviting from you any other suggestion that might occur to you upon which the parties could perhaps agree.

In your letter you announce your irrevocable intention to resign. We beg to repeat that we greatly regret your conclusion to resign, and are very sorry that you are unwilling to continue as President under some feasible plan. If we thought you could be moved, we would urge a reconsideration.

We have the honor to transmit the inclosed telegram to you from President Roosevelt.

With sentiments of the highest respect and with best wishes for your happiness and prosperity, we beg to remain, dear Mr. President,

Very sincerely, yours,

WM. H. TAFT.  
ROBERT BACON.

His Excellency, TOMAS DE ESTRADA PALMA,  
*President of the Republic of Cuba.*

To the foregoing, Señor Palma replied to the President, on September 26, through us, as follows:

[Translation.]

REPUBLIC OF CUBA, EXECUTIVE MANSION,  
*Habana, September 26, 1906.*

HON. WILLIAM H. TAFT AND ROBERT BACON,  
*City.*

HONORABLE SIRS: I am in receipt of your esteemed favor of even date, together with President Roosevelt's telegram.

I inclose my answer to said telegram, begging you to kindly forward same to the Honorable President as soon as possible.

You will see therein my reasons for insisting on resigning, which resignation I shall tender, on Friday the 28th, to Congress, for which day I have called a special session.

Please accept the testimony, my utmost consideration.

T. ESTRADA PALMA.

[For the telegrams between President Roosevelt and President Palma see Mr. Taft's despatches of September 25 and 26 to President Roosevelt in Exhibit 1.]

### EXHIBIT 13.

AMERICAN LEGATION,  
*Habana, September 25, 1906.*

MY DEAR SEÑOR MENDEZ CAPOTE: I have understood from you and others of the Moderate party that all its members have been anxious to assist in reaching peace by compromise and that whenever I called for resignations I might count on receiving them.



I now propose to you a compromise, to be signed by the Moderate party and the Liberal party, with the following bases:

First. The resignation of the Vice-President, all the senators and representatives, governors and provincial councilors, elected December, 1905.

Second. The laying down of the arms of the insurgents on the signing of this compromise and the presentation of these resignations.

Third. The provision by law for a commission to consist of three lawyers whose names shall be selected by the Moderate party, three to be selected by the Liberal party, and one by the President of the United States. The commission shall draft the following laws before November 1 and report them to Congress:

1. A municipal law embodying the requirements of the constitution and fixing an election of municipal officers for January 1, 1907.

2. An electoral law providing for the conduct of elections under a nonpartisan bureau of elections having charge of police during the election and registration period, as well as the registration, counting of the votes, and declaring the result. This law should include a provision for a special election on January 1, to fill vacancies caused by the resignations above provided for except that of the Vice-President.

The two parties to agree that their members in Congress will vote for the bills as drafted and reported by a majority of this commission.

Should President Palma insist on resigning under such compromise, there should be some understanding between the parties as to who should be the successor.

Will you let me hear from you upon this matter? I am conferring with the Liberal party in respect to the same proposal. Of course the formal agreement would be more specific and details would have to be fixed.

Sincerely, yours,

WM. H. TAFT.

HON. MENDEZ CAPOTE.

[Translation.]

MODERATE PARTY, NATIONAL ASSEMBLY, PRESIDENCY,  
*Habana, September 26, 1906.*

HON. WILLIAM H. TAFT, *Present.*

DISTINGUISHED SIR: I received your communication, dated the 25th instant, in which you propose a compromise, to be signed by both the Moderate and Liberal parties, upon the bases therein set forth.

I immediately reported the matter to the executive committee of the national assembly of the Moderate party, which met with an almost full attendance of its senators and representatives.

We amply and carefully deliberated for four hours, and I have been unanimously requested to inform you that our party can not take said basis into consideration.

On the ground on which the matter has been presented and in the form in which it has been submitted, it is impossible for us to find a basis for mutual agreement.

The Liberal party, having espoused the cause of the rebels, is threatening with arms in hand the total destruction of property in Cuba, and you, the mediators, ask the constituted authorities for their resignation as an inducement to the rebels to lay down their arms.

The rebels asked for less than that, through General Menocal, prior to the mediation of the American Government, and we could not accept.

In our conferences you have been good enough to let me repeatedly express the reasons which compel the Moderate party to refuse to accept the first of the bases proposed by you, which is the foundation of the others.

Our refusal is based upon the constitution, the laws, and legal order, which were arrayed first against the Liberals, then against the rebels, and now against the rebels and the Liberal party, for the programme of one has now become that of the other.

It is needless for me to go into greater detail, because you yourself, of your own accord, clearly and eloquently told me at our first interview, that you had come to mediate in our struggle in the name and in representation of your Government as a simple peacemaker, starting from the unalterable basis of the constitution of the Republic, of our laws, and of established legal order.

I have also had the honor of informing you on more than one occasion that the proposal represents not a peaceful solution, but one of war, because the demands of the Liberal party are what brought on the war and still maintain it, and to accede to them would be to establish a terrible precedent for the future of Cuba and would hardly give us a few months of peace and relief—a relief coupled with an uncertain, worried, and most unsatisfactory state of mind.

Moreover, the practicability of such a solution would be very problematical. It would initiate a period of several months of such uncertainty and instability that the smallest spark would start anew and with greater energy the flames which would now be only apparently extinguished.

That first basis, the key of the others, would mean in our opinion the victory of the rebellion in a form legal in appearance, accepted by us, and sanctioned and supported by the prestige of the immense power of the American Government.

We will not dwell upon the uprightness of purpose and the high and noble designs that inspire your conduct and that of your Government. Cuba can never be sufficiently grateful for the magnanimity shown her.

We understand that, notwithstanding all this, the course adopted in the efforts to secure the just and permanent peace to which we all aspire, is erroneous, and that it would quickly lead us to continuous and frequent revolts, which would soon forever destroy law, justice, and stability, that constitute the only true basis for the solid organization of a free country. Only upon bases that would insure these fundamental necessities can the Moderate party continue to treat the matter.

I am, very respectfully,

DOMINGO MENDEZ CAPOTE.

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#### EXHIBIT 14.

[Translation.]

HABANA, September 26, 1906.

#### MESSRS. THE COMMISSIONERS OF THE PRESIDENT OF THE UNITED STATES FOR PEACE IN CUBA.

SIRS: By resolution of the committee representing the Liberal element uprisen in arms, I have the honor to transmit the following, thus also carrying out my offer of yesterday afternoon.

The committee has learned with surprise of the refusal of the Government and of the Moderate party to accept the propositions suggested by you and consequently accepted by us, notwithstanding the fact that they did not fully come up to the aspirations of the revolutionists. And I say that this attitude has surprised us, inasmuch as the Government of Cuba having granted to the United States the right of intervention in accordance with Clause III of the Constitutional Appendix, it would seem but natural that the exercise of this right should not be hindered or resisted by the Government of Cuba and its partisans. With this point of view in mind it has been our belief that once you had determined, after deliberate and impartial judgment, the proper course to pursue, your recommendations would, as a matter of fact, partake of a certain imperative character, although concealed in a noble, delicate, and honorable manner, in obedience to the mode of procedure adopted by the Commission, beneath the simulation of an agreement adopted after discussion by the contending parties through your friendly intervention.

This well-grounded belief that confirmed by the circumstances of your having hinted to us during the meeting with leaders and other persons at Marianao that it was your duty to secure the assent of the opposing side, as also by the circumstance—well known to us—of the Moderate party having resolved to submit the whole question to your arbitration, which implied the acceptance a priori of your opinion in the premises.

Although we deem it our present duty, up to a certain point, to wait until you shall have, with proper insistence, secured the consent that has been denied or to enforce the acceptance of what has already been accepted by us, nevertheless such is our desire for a prompt settlement of the present conflict—thus satisfying your anxiety and that of the noble and illustrious friend of Cuba, Theodore Roosevelt—that we have not hesitated in considering the proposition made by the Moderate party relative to your arbitration, and I now communicate the conclusion at which we have arrived.

In the first place, beyond a shadow of doubt, you as arbitrators merit our entire confidence, as Gen. Loinaz del Castillo told you when acting as our spokesman at Marianao. If you inspired such confidence when we understood that you would proceed with equity and with due consideration for political and social interests, as well as with certain considerations of respect, as your model and guide, we have still greater reason to repose that confidence in you when the question involved is that of a final decision inspired in the strict justice of our cause, since we have

already perfect confidence in the proofs of your fair dealing and in those of our good conduct.

We therefore have no objection to your arbitration, but believe we should give our consent under the following conditions: That both parties continue in the same situation as at present, or that simultaneously the Liberals turn over their arms to your Commission and the men that constitute the present Government resign in favor of a provisional government which shall substitute them during the transitory period and which shall be designated as may be agreed upon. The matter of laying down arms, as above, would have to be submitted to the quick consideration of the principal leaders in arms.

We believe that this obligation to submit to arbitration should be binding not only upon the Moderate and Liberal parties, but, as the party of the first part, upon the Government and the Moderate party as its supporter, and, of the other part, upon the revolutionists and the Liberal party as the upholders of their contentions.

The idea that it is indispensable, in order to put into practice the terms of the arbitration, to form a military government, does not seem to us a correct one, inasmuch as, just as in case that the settlement suggested by you should have been accepted its fulfillment would have been effected by the two political parties bound by their respective acceptances, so would a decision of the arbitrators partake of the same character as such settlement, with the sole difference that in the latter case such decision would be previously unreservedly accepted and in the former only upon study of the settlement suggested.

In any case, in order to ameliorate the disagreeable effect which a military government would naturally have upon Cuban patriotism, I venture to suggest the advisability of specifically defining its concrete object, its probable duration, and its express purpose to rule without the concurrence of the elements constituting the present Government.

With the foregoing I could have wholly fulfilled the mission entrusted to me by my colleagues in so far as the pending negotiation through your honorable mediation is concerned, but the news which I received upon my return from the penitentiary of the attitude, which I shall refrain from commenting upon, of the President and Vice-President of the Republic and members of the Moderate party impels me to succinctly repeat several observations I made to you verbally yesterday afternoon.

Whatever be the procedure the American Commission may deem it necessary to adopt, the men in arms and the organizations of the Liberal party are determined to efficiently assist in the realization of the programme contained in the letter of President Roosevelt and which is reflected in your conduct, as proven in your acts.

The attitude of the Government and of the Moderates does not surprise us; it was foreseen in the bases I had the honor to present to you. That attitude is the clearest evidence of the incompetence and lack of moral and intellectual qualifications for the government of a republic of those men who are wanting in popularity and the support of genuine Cuban sentiment and who have brought about the present conflict.

Since the letter of the Hon. Mr. Roosevelt and your appointment became known the Moderates formed the design of sacrificing Cuban dignity and perhaps even independence in order to save the mock dignity of a government and the sentiment of personal pride of a few men. That was why I was able to foresee their attitude—because it is the logical consequence of their previous acts.

They know that President Roosevelt and the American people wished to avoid armed intervention in Cuba, and they proposed to force that intervention, their plans even going to the extreme of provoking it by insurrectionary acts of their guerillas and militia, by attacks on American detachments, and by burning foreign property. We formally call your attention to these plans, and you will remember that several days ago I advised you of the possibility that deeds of this kind might be committed in Cienfuegos.

Armed intervention would be for us, sincere friends of the Americans but ardent friends of liberty and national dignity, a sad event, though we may respect and accept it as a means, painful to you also, to attain the end we both desire. For this reason we earnestly beg you to try to avoid it, and that inasmuch as the Platt Amendment establishes neither the form nor extent of intervention by your Government, it be limited so long as other occurrences do not determine more direct and efficacious action, to order the institution of a provisional president designated in the proclamation and empowered to act in accordance with the law in all matters relating to administration; but such proclamation should likewise contain the necessary provisions that shall enable a gradual termination of the transitory period, and such proclamation shall approach existing law in so far as may be compatible, although ignoring the precepts of such laws wherever necessary.

The Liberals, whether in arms or legally organized, will give their active cooperation in this task, beginning with laying down their arms upon your recommendation and with full faith in the uprightness of the American people, reflected in your own personal uprightness, which we fully recognize, and our adversary having abandoned the field, we are confident that we should find the way paved and at the same time be able to count upon the elements opposed to us in political ideas or procedure, which, free of personal ambitions and dominated up to now by the oppression of a group of audacious politicians, shall immediately organize themselves to establish that equilibrium or balanced opinion indispensable for the safe conduct of governments and the development of nations.

He who upholds a cause with the conviction that justice is on his side can not, whatever be the circumstances of the moment, lose hope in victory nor faith in the result, and when a nationality created by the continued sacrifice of several generations has the good fortune to find in its path not only the strong arm of a great and free people, but what is still more important—the generous, noble, and magnanimous soul of that same people and the heart swollen by a sentiment of justice and love of liberty, incarnated in President Theodore Roosevelt and represented among us by the faithful reflection of that heart in yours—such a nationality can not disappear, and its people should have an abiding faith, as we have, that independence is assured.

Very sincerely,

ALFREDO ZAYAS.

### EXHIBIT 15.

MEMORANDUM HANDED TO DOCTOR CAPOTE BY MESSRS. TAFT AND BACON.

HABANA, September 24, 1906.

(Paper drawn up at Capote's suggestion for agreement Moderate party. Modified by Steinhart and given to Capote, who said he would have it signed in half an hour. He never sent it, but did send a copy of arbitration proposal.)

"The members of the Moderate party who now hold office by reason of the last election, except President Palma, will submit their resignation to the American Peace Commission, to take effect either in the whole or in part and only on the signing of an agreement for peace by accredited representatives of the Liberal party, including the insurgents in the field, and on the assured delivery of the arms by the insurgents to a commission to be appointed by the said Peace Commission under agreement."

(O. K. Copy delivered to Doctor Capote at 3.20 p. m., September 24, 1906, by Secretary Taft. F. S.)

### ARBITRATION PROPOSALS.

HABANA, September 24, 1906.

MR. WILLIAM H. TAFT.

DEAR SIR: I take pleasure in sending herewith a copy of the agreement arrived at by the Moderate party on the 21st instant.

As you will see, in it is the previous condition that the insurgents will lay down their arms, because our party does not consider the conditions for arbitration equal when one of the parties who are to be the objects of the same are up in arms.

This condition being complied with, the Moderate party will draw up its guarantee of arbitration, submitting, as the aforesaid agreement says, the whole matter to the decision of the American commission.

Very respectfully,

DR. DOMINGO MENDEZ CAPOTE.

COPY OF THE AGREEMENT ARRIVED AT BY THE EXECUTIVE COMMITTEE OF THE NATIONAL ASSEMBLY OF THE MODERATE PARTY IN THE SESSION HELD ON THE 21ST DAY OF SEPTEMBER OF THE CURRENT YEAR.

"Submit wholly the whole political question between the Moderates and the Liberals, from its beginning and in its development, to the arbitration of Messrs. Taft and Bacon, Commissioners of President Roosevelt, conditional to the laying down of arms of the insurgent liberals and the solemn guarantee on the part of that party—being within the law—to obey and comply wholly the laudable arbitration."

Authorized:

FRANCISCO DUKE ESTRADA,  
Secretary.

[Translation.]

MODERATE PARTY NATIONAL ASSEMBLY,  
*Habana, September 26, 1906.*Mr. WILLIAM TAFT, *Present.*

MY DEAR SIR: In view of what General Montalvo has informed us was the result of his interview with your commission, we add the following considerations to our communication of even date: If the bases which you presented yesterday to the Moderate party are not final, and the rebels first lay down their arms, returning to a legal status, the Moderate party hereby agrees to appoint a commission to interview another of the Liberal party, with the understanding that some of the aforementioned bases must be rejected, while agreements can be reached upon the other bases proposed yesterday by your commission and new points which may be reciprocally suggested.

Yours, very truly,

(Signed) DOMINGO MENDEZ CAPOTE.

*HABANA, September 26, 1906.*

DEAR DR. MENDEZ CAPOTE: We have your note of September 26, in which you present a counter proposal to the suggestion of a compromise made in our letter of yesterday.

You are quite right in supposing that the letter of yesterday, as well as the letter to the President, which doubtless you have seen, was merely a suggestion of a form of compromise that we thought possible and reasonable, but it was not an ultimatum; it was not a judicial judgment; it was merely an effort to point out a method of settlement which we hope both parties might agree to. We of course expected, if there was any proximity in our proposition to one that would be acceptable to the Moderate party, that the Moderate party would make a counter proposition that we might in turn present to the Liberal party. Now, you will permit us to suggest that you did propose an arbitration by Mr. Bacon and myself on the condition that the insurgents should first surrender and deposit their arms, agreeing for the party to submit to any decision of that arbitration. I ought to say that yesterday Señor Zayas took this proposition submitted on the 21st of September, conferred with his associates, and was inclined to think that they would agree to such an arbitration.

Your present proposition, if I may say so, lacks definiteness in its failure to state with exactness that the Moderate party and its members will agree to perform the award of the arbitrators upon those points of difference which the two commissions which you mention shall conclude to submit to the arbitrators. If you intend to make such a binding proposition, we suggest that you amend your letter to which this is an answer.

Very sincerely, yours,

WM. H. TAFT.

The Hon. MENDEZ CAPOTE,  
*Habana.*

[Translation.]

MODERATE PARTY, NATIONAL ASSEMBLY,  
*Habana, September 27, 1906.*Hon. WILLIAM TAFT, *Present.*

VERY DISTINGUISHED SIR: The Moderate party agreed to answer your last communication of yesterday, giving you the reasons which exist in our judgment for considering the details of the referred-to communication in a manner different from that in which you considered them; but as before our answer could be drawn up I was called to a conference of that committee, resulting in a new project of arbitration, of which I immediately gave an account to the party which accepted it, we have refrained from drawing up the answer to your last letter of yesterday, and limit ourselves to announcing to you that the party has accepted the formula treated of in the conference which I had the honor of holding with you yesterday, and which formula I think is condensed in the following agreements which we respectfully submit to the Liberal party through you:

First. A committee of the Moderate party will be named and an equal number of the members of the Liberal party to confer on the present situation.

Second. Said committees can definitely act upon any details upon which they may agree.

Third. Each commission will briefly point out the details respecting which, on account of not having arrived at an agreement, they are satisfied to leave to the judgment of the American commission.

Fourth. Should there be any unsolvable point between the commissions which either of them would not wish to submit to arbitration, the conference will be ended, declining arbitration.

We would thank you if you would obtain from the Liberal party the earliest reply so that the commissions may begin their meetings before the session of Congress convened for to-morrow at 2 o'clock in the afternoon.

It gives me pleasure to subscribe myself,

Yours, attentively,

(Signed) RICARDO DOLZ,  
*Vice-President of the Executive Committee.*

[Translation.]

PRESIDENCY, LIBERAL PARTY OF CUBA,  
*Habana, September 27, 1906.*

Hon. WILLIAM H. TAFT,  
*Secretary of War of the United States.*

SIR: Having read the letter, dated to-day, addressed to you by Mr. Ricardo Dolz, communicating to you the agreements of the Moderate party so that you could submit them to the Liberal party, I should notify you that I do not believe possible the acceptance of what is proposed to us.

The vagueness and extent of the matters which as it appears are to be treated of when owing to the convening of Congress the time is short, the absolute lack of concrete bases submitted to resolution or agreement, and the indication of terminating the conference abandoning arbitration as soon as an unsolvable point is reached, are circumstances which, in my judgment, make said agreements unacceptable.

In giving this answer, I do so with true regret, as since the beginning of these negotiations I have shown myself to be disposed to treat for and facilitate the solution of the conflict.

Yours, sincerely,

(Signed) ALFREDO ZAYAS.

#### EXHIBIT 16.

[Translation.]

The National party resolves:

To invite the Moderate party to reconsider its determination not to accept the bases proposed by the peace commission, inasmuch as the commission has declared that they are not final, but that a counter proposition may be presented in terms compatible with the requirements of that patriotism which should now be invoked to save the Republic.

In case this request be granted, the National party has the honor of submitting to your consideration the following bases, which, if accepted in principle, should be supported by a mixed committee of both parties before the American commissioners:

First. To include the Vice-President of the Republic in the condition referring to the President, inasmuch as both offices spring from the same election and the same electors at the same time elected both officials.

Second. That the elections held in January be only municipal elections.

Third. As it is unconstitutional for Congress to legislate with only one-half of its members, and as it must pass all the laws mentioned in the Taft bases, especially the municipal and electoral laws, before the elections are held, the renewal of Congress should take place not next January as proposed, but after such laws are promulgated.

The same day which the law now designates for the first partial renewal of Congress—that is, December 1, 1907—may be fixed for its total renewal, and on the same day the elections for governors and provincial councilors should be held. In this way, while both parties are given the necessary time to organize, that moral peace will be reestablished which is so necessary in order that the electoral contest may not be angry nor violent nor carry in its wake disagreeable consequences. This it would be impossible to obtain immediately after this armed struggle.

With the preceding amendments to the bases of the commissioners the National party believes a solution may be reached decorous for both parties and which will definitely save Cuban nationality, the only aspiration to-day of all Cubans.

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### EXHIBIT 17.

[Translation.]

*To Congress:*

The conditions to which public order has been reduced since the beginning of armed rebellion in the Province of Pinar del Rio, and the fact that there is now in session in this capital an American commission, called a Peace Commission, and representing the government at Washington, and that in consequence the executive has almost completely lost its authority, while the rebels continue in arms and in a threatening attitude, the undersigned, on the other hand, sincerely and ardently desiring that the country return to its normal state of order and general tranquillity, and as it is absolutely impossible in any manner to accept the conditions which the said commission proposes as the only means of terminating the rebellion, resolves, considering it to be patriotic and decorous, to present to Congress, which he does formally and irrevocably, his resignation of the office of President of the Republic, to which he was elected by a vote of his fellow-citizens on March 19 of the current year.

Trusting that it will be accepted immediately, thanking the members of both legislative bodies in advance, and offering them the testimony of his highest consideration.

T. ESTRADA PALMA.

PALACE OF THE PRESIDENT, *Habana, September 28, 1906.*

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### EXHIBIT 18.

[Sent 11.30 a. m. by Mr. Steinhart in person.]

*HABANA, CUBA, September 30, 1906.*

DEAR MR. PRESIDENT:

As you have informed me that you are to journey to Matanzas, I deem it due the high office which you have just vacated and my own appreciation of your great services to your country that you should leave Habana with every form of respect shown you. I hope you and your family and the party accompanying you will allow me to place at your disposition for the trip to Matanzas a battle ship of the American Squadron. This ship will be held at your disposition at any day and any hour that you may see fit to leave.

With renewed expressions of my highest esteem, I beg of you to believe me, my dear President Palma,

Very sincerely yours,

WM. H. TAFT.

HON. TOMAS ESTRADA PALMA,  
*Habana, Cuba.*

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*HABANA, September 30, 1906.*

HON. WILLIAM H. TAFT,  
*Secretary of War of the United States, City.*

DEAR SIR: I am deeply moved by the testimony of high consideration shown me in your letter of today.

I sincerely thank you for it and beg you to excuse me for declining to accept your kind offer, for which I am as grateful as if I had taken advantage of it.

Yours, very respectfully,

T. ESTRADA PALMA.

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### EXHIBIT 19.

*HABANA, CUBA, December 3, 1906.*

Whereas by decree No. 11 of the provisional governor of Cuba, dated Habana, October 12, 1906, it was resolved that the Congress of the Republic of Cuba should remain in recess during the continuance of the provisional administration of the United States, and that the rights of members of Congress to compensation during the recess would be made the subject of a special decree; and

Whereas the Commission appointed by the President of the United States to assist in bringing the late insurrection to an end and to secure peace recommended as one

of the bases of an equitable compromise that the seats of the members of the House who had been declared elected in December, 1905, and of the senators who had been declared elected March 16, 1906, should be vacated and new elections should be held to fill the vacancies; and

Whereas, after the establishment of the provisional government, the insurgent forces then still in arms were induced to disperse, and peace was restored with the understanding that the provisional government would carry out the compromise recommended by the peace commission in so far as changed circumstances would permit:

Now, therefore, I, Charles E. Magoon, provisional governor, with the specific authority of the President of the United States and in compliance with the understanding above recited, do hereby resolve that the places of all the members of the House of Representatives of the Cuban Congress who were elected on the 1st of December, 1905, and of all the senators who were elected March 16, 1906, are, and shall be, considered vacated from and after October 12, 1906.

Second. That the salaries of the senators and members whose places are by this decree vacated shall be paid to them down to and including the 12th of October, 1906, but not thereafter, and the proper officers of the treasury department of the Republic of Cuba are hereby authorized to pay any unpaid portion thereof from the existing appropriation for the payment of the salaries of the senators and members of the House of Representatives of the Cuban Congress.

Third. The vacancies hereby declared in the House of Representatives shall be filled at elections to be held by the provisional government pursuant to the proclamation issued by the provisional governor of Cuba, dated September 29, 1906, and at the same elections senatorial electors shall be elected to elect senators to fill the vacancies in the Senate by this decree declared.

Fourth. The senators of the Cuban Congress elected February 24, 1902, and the members of the House of Representatives elected in 1904 shall continue in office for the term for which they were elected, and shall receive the salaries provided by law therefor, even during the recess already declared of the Cuban Congress.

Fifth. As the terms of office of the members of the House of Representatives elected in 1904 will expire on the first Monday in April, 1908, and under the law of Cuba the election of their successors should be held on the 31st of December, 1907, and as it is obviously unwise and against the public interest to hold two Congressional elections during the year 1907, therefore, if moral peace, tranquillity, and public confidence are restored to such an extent that the special elections referred to in the proclamation of the provisional governor, dated September 29, 1906, can be held prior to the date of said regular elections in December, 1907, there shall also be elected at such special elections the successors of those members of the House of Representatives who were elected in 1904.

Sixth. The provisions of all existing decrees, orders of the military government of Cuba, or laws contrary to the provisions of the foregoing resolution are hereby temporarily suspended.

CHAS. E. MAGOON,  
*Provisional Governor of Cuba.*

#### EXHIBIT 20.

HABANA, September 30, 1906—5 P. M.

GENTLEMEN: I am advised by General Funston that several of the commissioners appointed by your committee to meet commissioners on my part for the settlement of the details of the surrender of the insurgents and the delivery of arms are claiming that the delivery of arms ought not to include the arms which are the private property of individual members of the revolutionary forces. Such a claim is not in accord with the agreement which your committee signed yesterday. Disarmament is disarmament; it is the giving up of arms which have been used in the insurrection against the Government, and no distinction can be made between arms furnished by the revolutionary committee and so used and arms belonging to members of the revolutionary forces used for the same purpose.

I trust that your committee will advise the commission which you have appointed that the position taken by them in this respect is inadmissible. Indeed the matter is not within the jurisdiction of either the commission appointed by you or the commission appointed by me. They are to settle the details of the surrender of all the arms and have no power to agree or determine that some arms shall not be surrendered, or to consider the question of ownership; that was finally settled by the agreement signed by the revolutionary committee. When you bring this phase of the matter to the atten-



tion of your commission, I feel confident that in their spirit of fairness and their desire to observe faithfully their contracts of honor they will not press the claim.

Very respectfully,

(Signed) WM. H. TAFT,  
*Provisional Governor of Cuba.*

SEÑOR ALFREDO ZAYAS AND MEMBERS  
OF THE REVOLUTIONARY COMMITTEE.

Copies sent: Gen. J. Miguel Gomez, General Castillo, Señor J. Gualberto Gomez, Colonel Lazo, Señor P. Garcia, General Velez, General Monteagudo.

### EXHIBIT 21.

DECREE N<sup>o</sup>. 9.]

HABANA, October 10, 1906.

*By the Provisional Governor, a decree:*

Whereas, in the agreement of September 29, of the present year, for the disarmament and disbandment of the insurrectionary forces, it was stipulated that said forces should make restitution of property taken by them for military purposes and then in their possession; and

Whereas, under the terms of disarmament and disbandment, formulated by the joint commission convened for that purpose October 1, many members of the insurrectionary forces have received certificates authorizing them to retain in their possession and take with them to their homes, horses in use by them at the time of disbandment, which certificates have been generally, but erroneously, interpreted by the holders as vesting in them title to the property described therein:

Now, therefore, in order to facilitate the reestablishment of normal conditions of peace, it is ordered and decreed that in every action brought under the present law to recover a specific horse in a court of competent jurisdiction, in which the plaintiff shall, by proper evidence of identification and ownership, establish title to the horse, it shall nevertheless be a sufficient defense to the action for the specific recovery, if the defendant in possession of the horse shall, by lawful evidence satisfactory to the court, establish that he was a member of the late forces in insurrection; that he was in possession of the horse on the 1st of October, 1906; that he received a certificate from his brigade commander turning the horse over to his custody. In every such case the horse shall be treated as having been appropriated to governmental use for the purpose of securing peace, and its former owner shall be entitled to just compensation from the provisional government for the reasonable value of the horse of which he is thus deprived, and the court shall enter a judgment returning the horse to the defendant and shall certify to the provisional government through the department of state and justice the fact of the former ownership and title of the plaintiff, the reasonable value of the horse at time of the suit and the recommendation that the plaintiff is entitled to recover from the government the value of the horse thus found: *Provided, however*, that no member of the insurrectionary forces may lay claim to more than one horse under the provision of this decree. The court shall also for future possible use of the government certify its conclusion as to the value of the horse at the time of its seizure by the insurgents.

Nothing herein contained shall be construed as determining the rights of owners of horses and other property taken by the insurrectionary forces which said owners are unable to identify. The matter of indemnification by the government for such horses and other property is reserved for future decision, and the effect of this decree is to be strictly limited to the cases exactly described herein.

WM. H. TAFT,  
*Provisional Governor.*

PEDRO F. DIAGO,  
*Acting Secretary of State and Justice.*

### EXHIBIT 22.

HABANA, CUBA, October 13, 1906.

THE PROVISIONAL GOVERNOR, *Island of Cuba.*

SIR: I have the honor to state that my early departure for my station in the United States makes it impossible for me to submit a complete report of the work of the commission for the disarmament of the insurgent forces, of which I am president, for the reason that up to date only fragmentary reports, mostly by wire, have been received from the various members of the commission sent into the provinces for

the purpose of disbanding and disarming the many insurgent bands and sending them to their homes. Until complete reports have been made the aggregate strength of the insurgent forces, with the number of arms delivered by them as well as the expenses incurred by the members of the commission, can not be known.

The commission held its first meeting in the municipal building of Marianao at 11:30 a. m., September 30, 1906, there being present all the members, as follows:

Brig. Gen. Frederick Funston, U. S. Army, president; Maj. E. F. Ladd, U. S. Army; Gen. Eugenio Sanchez Agramonte, Gen. Tomas Padro, Col. Charles Hernandez, Gen. Pedro Valiente, Gen. Lope Recio, Gen. Hernandez Monteagudo, Gen. Loynaz Castillo, Gen. Faustino Guerra, First Lieut. B. J. Mitchell, U. S. Army, aid de camp, recorder.

The first four-named members of the commission and the recorder were named by the provisional governor of the island; the remaining five commissioners by the central revolutionary committee.

At this meeting of the commission the first subject considered was the difficulty over the large number of horses in the hands of the insurgent forces, these animals having been taken from their owners without compensation, and usually without any form of receipt. The desirability and justice of returning these horses to their owners was universally conceded, but the practical difficulties of such a course seemed insurmountable. It is a well-known fact that the insurgents in this war, as in the war of independence, kept no record as to the owners of the horses in their possession. It was a common practice for them to ride a horse three or four days until it became tired or had a sore back and then turn it into some pasture, taking out a fresh one. They also frequently traded horses among themselves and often stole from each other. There was no quartermaster or other supply officer who had any control over the horses used by the forces and no one who had any accountability or responsibility therefor. The inevitable result of such a system or rather lack of system was that very few knew the ownership of the horses they were riding, and thus could not return them even if they were disposed to do so. In view of these conditions the commission after much discussion determined to allow the soldiers of the revolutionary army to take the horses in their possession on October 1 to their homes, to hold them until the question of ownership could be settled. The main consideration that induced the American members of the commission to agree to this settlement of the matter was the feeling that the men would keep the horses anyhow and that they would at once scatter to their homes, surrendering the arms in their possession.

In order to prevent men changing horses or taking new ones en route to their homes, each was furnished with a description of the horse in his possession October 1, so that if he were found in possession of a different one he could lay no claim to it.

It was decided by the commission to send the insurgents from Pinar del Rio, then in the immediate vicinity of Habana, to their homes by rail, in order that the people along their march might be relieved from the danger of their presence.

The commission was in session until 1 o'clock p. m. and adjourned to meet at 4.45 p. m. at the American legation in Habana. At this last meeting there was taken up the question of securing the arms in the possession of the various insurgent forces. Committees of the commission were sent to the various provinces as follows: General Padro and General Valiente to the province of Oriente, General Recio to Camaguey, General Monteagudo and Colonel Hernandez to Santa Clara, while to Major Ladd was given the task of disarming the Habana and Pinar del Rio insurgents. All of them were encamped within the immediate vicinity of the city of Habana.

As stated in the beginning of this report, the undersigned being compelled to leave the commission before the reports from the members of the commission had been received, it is impossible to give the number of arms surrendered or the strength of the forces disbanded and returned to their homes, but at this writing the disbandment and disarmament of all of the insurgent forces in the field is complete.

Very respectfully,

FREDERICK FUNSTON,  
Brigadier-General, U. S. Army,  
President of the Disarmament Commission.

HABANA, CUBA, October 3, 1906.

PRESIDENT DISARMAMENT COMMISSION,  
Habana, Cuba.

SIR: I have the honor to make the following report respecting my work of disarming the rebel forces in the vicinity of Habana, the commands of Generals Guerra and Castillo of the provinces of Pinar del Rio, Habana, and Matanzas.

I was designated for this work on the evening of September 30, with instructions to provide necessary forage and rations for these forces in order to relieve the surrounding country of the burden of subsisting them longer.

Early on the morning of October 1, I purchased fresh meat, bread, coffee, sugar, rice, and lard, and late that night each command was in possession of part of its supply. As these forces were scattered in all directions for a distance of 25 to 30 miles, it required unusual efforts on the part of all concerned to reach them promptly. Fresh beef for the first day was supplied dressed, as beef on the hoof could not reach them; all future deliveries were on the hoof, cattle to be killed by the contractor. Fresh bread was also to be delivered to the commands each day, while the other supplies were mostly delivered in one lot.

The rebel leaders estimated their forces at 11,000 men and horses, but my estimate was considerably less. A limited supply of corn was sent for the horses. The men had evidently been on short rations for some time and disposed of the food in quick order, many requests for more reaching me; but further issues were confined to special cases coming under my personal observation.

As soon as the question of rations was settled, I took up the task of returning the men to their homes and securing their arms.

Some delay was caused by the nonarrival of the horse certificates, which were not received by the commanding generals until Thursday morning, October 4. In the meantime work was progressing in the way of assembling the scattered forces and moving them toward their final destination, General Asbert moving toward Guines and General Montero toward Matanzas.

General Castillo had been ill, and on Wednesday evening I found he had given his brigade commanders no final instructions as to disarming and disbanding. During that day I had interviewed Generals Asbert, Guas, Arencibia, and Acosta, his brigade commanders, and, finding they were all awaiting instructions, I went to General Castillo and told him the necessity of issuing his final orders, and he told me he was too ill to continue on in command of his corps and requested me to act for him, giving me the desired orders to deliver to his brigade commanders, with a letter to each to follow my directions in everything. This necessary action on the general's part left his corps without an active head and made me much extra work. Late in the evening of October 3 I started to deliver these orders to the brigade commanders located, according to General Castillo's information, as follows:

Acosta at Arroyo Arenas; Arencibia at Santiago de las Vegas; Guas at Rincon; Asbert and Montero near Guines.

I reached all these commands except that of Montero. After getting near Guines I found he was at Vegas, where I could not reach him by automobile, so returned to Habana about 10 o'clock p. m., and sent a messenger by rail to him early the next morning. With Castillo's commands so widely scattered it became apparent that I could not personally attend to Asbert's command at Guines, and Secretary Bacon volunteered to help me out with Montero's command near Matanzas. At my first interview with Asbert, on Wednesday evening, he told me he was only waiting for the militia at Guines to disarm according to agreement. I now devoted my attention to the remainder of Castillo's command and the corps of Guerra, all in the vicinity of Habana.

It had been decided to return to Pinar del Rio Province by rail all the forces of General Guerra, except one brigade, which was to march to the vicinity of Bahia Honda and Cabañas, and transportation was ordered for 500 men and horses at Santiago de las Vegas and 500 men and horses at Rincon, to be ready to load at 8 o'clock Thursday morning. I personally superintended the loading of these forces, and then went to receive the arms of General Acosta's command, as previously arranged. It had been planned that these arms should be delivered near Arroyo Arenas. When I reached there late in the evening I was told that the general was receiving the arms at his own house in the interior, about 3 miles off the road. Knowing the general's reputation I feared he might be playing false, so determined to find out for myself what was going on. I secured horses and rode through deep mire to his house, where I found he had just completed the collection of the arms. By count I found he had received 93 rifles of old pattern and 2 Mausers. These he promised to deliver to me at Camp Columbia the next day, which he did. I also found General Castillo had turned in 48 rifles belonging to his personal escort. On this same day General Guerra started the brigade on the march for Bahia Honda. I was told this brigade was composed of 1,800 men and horses. When I loaded General Guerra's troops in the morning I found they were without food for the day, and purchased all the ham and bread to be found in the towns of Santiago de las Vegas and Rincon, being enough for one good sandwich for each man. The men all went off in great glee.

Arrangements were then made to load 500 more men and horses at Santiago de las Vegas the next morning, Friday, and also to receive the arms from the brigade

of General Arencibia at Santiago de las Vegas and those of General Guas at Santiago de los Baños. I superintended the loading of these troops and then began disarming Arencibia's brigade, leaving its completion to Arencibia himself, as many of his men were not able to reach Santiago promptly. I proceeded to San Antonio de los Baños, where General Guas had promised to disarm his immediate command that afternoon. When I saw Guas about 1 p. m. he told me it was impossible to comply with his promise, as he had not assembled his men. I told him disarmament must take place that day according to agreement. He consented to make the attempt, and about 5 p. m. entered the town at the head of 460 men, disarmed them at once, and delivered me 147 guns. It was now nearly dark when I got word that another brigade of General Guerra, which was ordered to load at Rincon Saturday morning, wanted to entrain that night, so I proceeded there and shipped this command before returning to Habana. Before leaving Guas at San Antonio de los Baños we had made an arrangement for the remainder of his forces, under Gen. Rafael Castillo, to disarm near Alquizar Saturday. I had also engaged to entrain General Guerra, with his headquarters and escort, at Santiago de las Vegas at 10 a. m. Saturday, and to complete the disarmament of Arencibia at the same time.

Saturday morning I received the last of Arencibia's guns—100 in all—and loaded General Guerra's headquarters. Just as I had completed this loading, I learned that a train had been ordered to transport 290 rural guards from Artemisa to Pinar del Rio that evening. Realizing that this would bring these commands to Pinar del Rio at the same time, when General Guerra would naturally desire to celebrate his return to his native town, and most likely cause trouble, as the commanding officer of the rural guards was a bitter enemy of his, I telegraphed and had the order for moving these rural guards suspended. Just as I was sending my telegram General Guerra came in wildly excited, telling me he had heard of the proposed movement of rural guards and said he would not be responsible for the result. I quieted him with the promise that I would have the order changed and he left contented.

I then proceeded to San Antonio de los Baños to have the remainder of Guas's brigade disarmed. Before my arrival I learned that this force, under Castillo, was in the vicinity of Alquizar; that the militia of Alquizar and Güira, two adjacent towns, from which Castillo's forces came, had not been disarmed, as agreed upon, and that Castillo refused to keep his agreement. After a long parley, General Guas and I settled upon the following terms: I agreed to have the militia disarmed Sunday morning, and Castillo was to have his force assembled about 3 miles outside San Antonio de los Baños at 4 p. m. to disarm, the agreement being that, if I did not have the militia disarmed, I would not ask for the arms of Castillo's command. I then proceeded to Habana and reported my action to the provisional governor, and was told to arrange with General Rodriguez for disarming the militia. Saw General Rodriguez, who told me his orders had already been given to that effect. Saw General Rodriguez early next morning and he told me he had received a report that said militia had been disarmed. I then proceeded to San Antonio de los Baños, where I found General Guas had learned that the militia had been disarmed, and he said everything was now satisfactory and we only had to wait until Castillo came at 4 p. m. as agreed upon.

Just after taking breakfast General Guas brought me a telegram he had just received from General Castillo, stating that the militia at Alquizar had not delivered their arms, and refused to let him pass this point on his way to the place of our appointed rendezvous, stating that for this reason it would be impossible for him to comply with his previous agreement, and about the same time a rumor reached us that the militia in Alquizar had fired upon General Castillo's forces.

General Guas offered me his services, and we secured horses and proceeded across the country toward Alquizar, about 12 miles distant.

It was with difficulty that we located General Castillo, and when I entered the town I found the militia had just been disarmed, turning their guns over to the alcalde. I then located General Castillo and found him prepared to march his entire forces of about 300 men through the town. I made every attempt to dissuade him from this purpose, but without avail. He complained to me that the arms of the militia had been delivered to the alcalde, his personal enemy, and before he would agree to carry out his part of the agreement it was necessary for me to promise him that these guns in the hands of the alcalde should be delivered to the officer in command of the rural guards; or in case of my failure to comply with this I would return him his arms.

Seeing that nothing could be done to prevent Castillo from marching his forces through the town, I notified the rural guards and requested that everything be done to preserve peace and good order.

The excitement was intense, and it was with difficulty that the command could clear the streets to pass, several officers charging the crowd with drawn machetes. General Guas, with several staff officers and myself, rode on the flanks of the command and did everything to quiet and suppress the excitement. After passing through the main street General Castillo announced his determination to pass through other streets of the town. I positively declined to countenance such a move, and General Guas succeeded in persuading General Castillo to continue on through the town to a point about 2 miles outside, where the command delivered their arms—171 guns—to me. This was about 5 o'clock p. m.

Just as they were about to deliver up their arms word was received that Governor Nuñez and Consul-General Steinhart had arrived in the town. This caused a little delay, as explanations were required, some of the officers not seeming friendly toward Governor Nuñez.

After receiving the guns I returned to Alquizar to fulfill my part of the agreement and have the arms of the militia delivered to the commanding officer of the rural guard. I found Governor Nuñez and Consul-General Steinhart had already accomplished this, and everything seemed satisfactory. I started with the 171 guns for Güira, where I turned them over to the rural guards to be held until further orders.

During this time General Funston had received the arms of General Asbert—140 guns—and Secretary Bacon and Captain McCoy had received those of General Montero—174 guns—making all told 875 guns received from General Castillo's corps.

The work of disarming and disbanding General Guerra's corps having been left to General Guerra himself, he reported to me on October 8 that he had completed this work, but that he could not tell the exact number of guns received, as his brigade commanders had not all delivered the guns to him.

General Guerra reports that his force is completely disbanded and all the men have returned to work at their homes. On Saturday, October 6, as I traversed the country for 25 miles around Habana, I did not see a single rebel soldier, except those I was disarming and shipping; moreover, the farmers were at work in all directions—something I had not seen before since my arrival in Cuba. One week before this at least 7,000 rebel troops were scattered over this country, and, as far as I am informed, no one believed it possible to get all these men back home without more or less destruction of property.

In seven days a rebel force, estimated at 7,000 men and horses (rebel figures, 11,000), scattered throughout the country for 25 miles, was supplied with rations and forage, assembled, returned to their homes, disarmed and disbanded, without friction or disturbance of any kind, over 2,000 of the men and horses being shipped by rail. In one week, from conditions of anarchy and despair, the provinces of Habana and Pinar del Rio have been restored to normal conditions of peace and prosperity, results few dared predict.

A delay of ten days or two weeks would have reduced the annual tobacco crop of this section by \$20,000,000 and greatly curtailed the bountiful sugar crop already in sight. Again, the amnesty proclamation of the provisional governor was not practicable until the rebel forces were disarmed and disbanded. Until this proclamation could be issued it was difficult to handle the robber bands operating in the name of the revolution, for fear of renewing the recent conflict. We were compelled to sit quietly by and see both the rebel forces and the bands of robbers plunder within sight of the rural-guard forces of the Government; unable to give general orders to the guard for fear the least lack of judgment or indiscretion on its part might cause a charge of bad faith and delay or stop altogether the rapid progress toward peace and order.

This proclamation once issued, these bands are outlaws and can be treated as such. For lack of adequate assistance and by the exigencies of the case some details, which might seem important under other circumstances, were of necessity omitted, the record of the men and horses being quite incomplete. As an abstract proposition, the act of bestowing title to the holders of stolen horses jars the sensibilities of many parties, but I know from close association with these rebel forces for three weeks that such a concession on the part of the disarmament commission materially aided in the disarmament of the rebel forces, and in the light of the work accomplished the end more than justified the means employed.

By the terms of the decree covering this subject, parties who have lost their horses are given the same recourse as in similar cases in time of peace. The horses stolen were, in most cases, articles of luxury to their owners, comparatively few of them being used in daily pursuits, and I believe that few instances of actual hardship will result.

I received 875 guns of various types from General Castillo's command, which I estimated at 3,500 men. The guns were turned in to the rural guard, Habana.

General Guerra turned in 693 guns from his corps, which I estimated at 7,000 men—4,500 near Habana and 2,500 left behind in Pinar del Rio. The arms were delivered to the commanding officer United States Marines, Pinar del Rio. As far as my observation goes, nearly all the guns received were almost worthless, being old-pattern Remington carbines or sawed-off rifles. The total cost of rations and expenses incident to disarming this force was about \$15,000. Some small accounts are outstanding at this date.

While I was busy with other matters, the horse certificates were received and issued by brigade commanders, who failed to keep a record of the number issued or names of the men to whom issued except in a few cases. General Guerra reports that not over 2,000 were issued in his corps. The attached reports from General Loynaz del Castillo's brigade commanders show about 2,696 certificates were issued to men of that corps.

Generals Guerra and Castillo, being members of the commission, the blank horse certificates for issue to the men were delivered to them directly from the printer and by them distributed to their different brigade commanders for issue.

After many of these certificates had been issued to the men it was discovered that the language of the certificates passed title to the holder absolutely without question. At the session of the commission the proposed certificate I heard read and consented to contained the proviso "ownership to be determined later," or words to that effect. I took the matter of this discrepancy up with you and the provisional governor, and it was decided that there was nothing to be done in the matter but for the Government to stand by the certificate as issued and interpreted. To repudiate it at that stage of the proceedings would mean delay, dissatisfaction, and probable discord. Upon inquiry among other members of the commission I found the certificate as issued met their understanding of the question. We were now in the minority and must accept the situation gracefully, as it was found the same certificate had been issued in other parts of the island.

General Guerra reports that not over 2,000 certificates were issued to members of his command, and reports from brigade commanders indicate that about 2,696 certificates were issued to members of the command of General Loynaz del Castillo, making 4,696 certificates issued to both commands, estimated to number 10,500 men.

Very respectfully,

E. F. LADD, *Military Secretary.*

CAMAGUEY, October 15, 1906.

PROVISIONAL GOVERNOR OF CUBA,  
*Habana.*

HONORABLE SIR: Being appointed under the date of September 30 by the peace commission as one of the commissioners in the provinces for the disarming and licensing of the forces of the regular constitutional army, I have the honor to inform you that on this date I have ended the commission that was consigned to me.

As a measure to facilitate the mentioned disarming and licensing, I had to order under the date of the 1st instant the concentration of all the forces in one place near the city (10 kil.), and although the great distance separating the detachments in camp prevented them from congregating at the indicated site, there were only small detachments composed of two or three that were necessary to license and ration apart from the main body, which was stationed on the San Carlos de Villavella farm, on the Cuban pike.

Gen. Gustavo Caballero, the commander of the forces, being notified of the form of licensing and disarming, proceeded to facilitate to each individual, through the Government's orders, a license with the brand of each horse on back of said license, this being done in order to prevent the change of horses and the damages or losses brought to the owners.

During the disarming the troops were provided with abundant rations, consisting of first-class meat and provisions, these rations being at first issued on the 2d of October and gradually diminished without repeating the ration any day or it having been increased.

The licensing and disarming of the other companies to which I refer proceeded, being provided with rations by the mayor of Barros or by special commissioners.

The number of men in the province of Camaguey ascended to 1,506, according to the statistics presented by General Caballero, and although perfectly well mounted and armed with machetes had only 179 firearms of all classes which were delivered by General Caballero on the 7th instant, when he made his entrance in this city, then the licensing being ended.

I can not mention any other notable incident which occurred during my work, except a small conflict which was provoked by the government guerrillas on the

entrance of the Constitutional forces, who were disarmed and attacked from the fort "Diamante." This conflict was put to an end by the American troop stationed in the farm "La Mosca," half a kilometer from the city and which ended through the efforts of General Caballero's forces. General Funston was notified of this occurrence.

Since the 7th instant, the date on which the disarming ended, up to to-day, we have been dispatching to the Constitutional troops the provisional ownership of the horses granted by the government, a certificate of chief of forces being sufficient according to the decree of claims. I have omitted expenses to the State, suspending this dispatch.

The bills forwarded to the general intervention of state show the amount invested in disarming and licensing of the troops is \$1,690.74, or \$1.60 to each individual.

Very respectfully,

LOPE RECIO,  
*Commissioner.*

[Copy of telegram—Translation of report in Spanish.]

CAMAGUEY, 3 Nov., 1906, 6.30 p. m.

Comdte E. F. LADD, *Habana:*

De los mil cincuenta y seis licenciados solo doscientos ochentiseis le he expedido certificados.

RECIO.

I have only issued certificates to 286 of the 1,056 men furloughed.

RECIO.

Copy:

E. T. LADD,  
*Military Secretary.*

Maj. E. F. LADD, U. S. Army.

SIR: In response to your request I have the honor to report that I have distributed the horse certificates to the rebel forces in the province of Santa Clara. I took 10,000 certificates, distributed 4,000 of them, and destroyed the balance. Of those I issued one general used only 35 out of 300 given him—the rest of his 300 men had horses of their own.

From my observation at least 20 per cent of the blanks were spoiled in being issued, and, to the best of my belief, not over 3,000 blanks altogether were issued in the province of Santa Clara. The commanding general estimated his forces at 10,000 men. I am satisfied there were not over 7,000 men at the very most. Undoubtedly more than 3,000 horses were stolen, as many of the men would ride a horse for a short time and leave it for a better one, and there is little hope that the whole question can ever be satisfactorily adjusted. The best possible has been done under the circumstances.

Very respectfully,

(Signed) CHAS. HERNANDEZ,  
*Member of Board.*

Copy:

E. T. LADD,  
*Military Secretary.*

HAVANA, CUBA, October 22, 1906.

Maj. E. F. LADD,  
*Member of the Disarming Commission.*

SIR: I beg to answer your official letter of the 16th instant, in which, including a copy of a letter addressed to you by the provisional governor of Cuba, you refer to me several questions related with the recent revolutionary movement in this country and the disarming of the forces of the province of Santa Clara, in which I intervened.

First. Where did the revolutionists obtain their arms? In general, all arms were from the period of our war of independence, being in their great majority Remingtons, carbines, and Spanish muskets. The greater part of these arms were collected in the period of the first American intervention and deposited in some ayuntamientos and in the arsenal at Havana, where the department of "National Armory" repaired and improved them in view of their bad condition. Later on these arms and those at the ayuntamientos were used by the Estrada Palma government, distributing them among his political friends of the country to go to the last election, and as the revolutionists knew who had them it was an easy matter for them to obtain them for their purpose. Another part of the armament we have received, the Springfield rifles, are from an American expedition landed in Palo Alto (Las Villas) in July, 1898, when our

war of independence was drawing to a close; and, lastly, another smaller part was acquired by each individual with his own friends among Spanish merchants, who kept some arms since that period, and those that were taken from farmers who used them for the safeguard of their properties. These in their greater part have been returned to their owners by the forces.

Second. The number of arms delivered and their disposal. The number of arms gathered by me and Col. Chas. Hernandez was 1,108 in a very bad condition, their majority being, as I said, Remingtons, Springfields, a few Mausers, and guns.

Third. The whole enlisting of the revolutionary forces. According to our calculation, in the province of Santa Clara (Villas) more than 10,000 men had revolted, cavalry and infantry, armed only, in their majority, with machetes and revolvers. Almost all the chiefs of the insurrectionists have made lists or statements of the forces they commanded.

Fourth. The number of receipts for horses and to whom were they delivered? We have delivered 10,000 certificates of horses to the following chiefs: E. Guzman, C. Machado, J. J. Sanchez, J. Bravo, H. Esquerro, S. Garcia, S. Caballero, J. Rodriguez, C. Naya, E. Gonzalez, Reinoso, Q. Bravo, J. Prieto, S. Garcia Cañizares, and C. Collado. These chiefs had the certificates signed by those of the regiments or by their chiefs of staff; and we, the commissioners, also signed them at the beginning with our hands and afterwards with a rubber stamp, in order to save time. Brigadier Q. Bravo (Remedios) only used 35 certificates of horse, despite the fact he had over 300 men, because all of the latter were the real owners of the horses they mounted.

Undoubtedly the resolution of the committee of disarming to grant each individual the right over the horse he possessed has facilitated the disbanding of the great nucleus of forces that could not have been assembled otherwise. The return of those horses to their original owners would have been seen to be in practice a very difficult undertaking and far from an equitable one, not only on account of the long time necessary to have each owner learn the whereabouts of his horse and to justify their lawful ownership, because few of the horses would have returned to the district where they were taken, but also because of the great cost the government would have to incur to keep and feed during the long period of the claims such a great number of horses in different parts of the country.

I was a member of the revolutionary committee that prepared the armed movement against the government of Señor Estrada Palma, and I deem it advisable to add to this report that neither during the period of preparation nor after the uprising of August 19 have we received aid from anybody. All that was done was due to our own efforts; no nation or foreign entity have contributed with money or arms for the war. The armed protest has been genuinely popular, the result of the great grievance inferred to the people in their rights by President Estrada Palma; that itself explains that in less than a month's time more than 25,000 men should rise in arms disposed to make war as best they could.

Yours, very respectfully,

JOSÉ DE J. MONTEAGUDO,  
*General.*  
CHAS. HERNANDEZ,  
*Colonel.*

Copy.

E. F. LADD,  
*Military Secretary.*

SANTIAGO DE CUBA, October 30, 1906.

Maj. E. F. LADD,  
*Military Secretary, Habana.*

DEAR SIR: We are hereby replying to your kind letter of the 18th instant, which was not answered at an earlier date because we were waiting for the lists of forces disbanded under our direction in this province.

We regret to have received your letter so late, as well as that for lack of sufficient data our opinion will not be supported by actual facts. However, we have endeavored to make a calculation which we think reasonably founded.

The lack of proper data is mainly due to the disorganization prevailing among the rebels and to the haste with which we proceeded to the disbandment in order to avoid further expense on the part of the Government, for our purpose was that normal conditions would be restored in this province and that the military camps, which had no longer a reason to exist, would disappear.

Once the aforesaid statement is made, we will now pass to answer to the questions formulated by the provisional governor, as transmitted to us through you.

How did the rebel forces get their armament?



In order to answer this question we should remind you that on the termination of the war with Spain the liberating army was not disarmed.

The American Government gave \$75 to the soldiers on condition that they would deliver their arms, but only an insignificant number of arms were thus collected, since the libertador would rather give up his pay than part with his gun—an armament which many of them had taken to the enemy, and which they considered both as an implement necessary in the rustic lives they led and as a trophy of war which they cherished to take home with them. So that the idea that the soldier who wouldn't deliver his arms should not be entitled to pay was discarded altogether in order to be able to pay them as intended.

About that time Generals Lawton and Wood, in conformity with the President of the United States, had already decided not to discuss any longer the matter of the disarmament of the liberating army, but to secure only their disbandment. This plan is the same that we supported at the meeting held at Marianao for the disarmament, and it was because the meeting had no other purpose than the disarmament that our proposition was rejected; but it was agreed that the disarmament was not to be an actual or positive one, since we were sure that the soldier would conceal his arms, or would desert, if told that his armament was to be taken away from him, so the officers informed us.

We are not aware of any importation of arms for the revolution having taken place. No doubt they would have received them if required, because the revolutionary committee at Santiago had already decided to purchase them in order to aid the revolutionists, so that we think that the arms the insurgents in Santiago had were the same as used during the last war of independence. The liberating army was equipped with the arms they took from the Spaniards, with arms received from the revolutionary junta of New York in armed expeditions, and they had also arms given them by the American army when they were in the field at the end of the Spanish-American war.

How many arms have been delivered and in what condition?

The number of arms collected is 399, all of them in a very bad condition, according to the statement of the officer of the rural guard, which we keep.

When the commissioners visited the camps no arms were found and if the men had any none was seen. A great part of the soldiers were armed with machetes; the officers had machetes and revolvers.

How many rebels are there?

We have requested, by wire and mail, the insurgent chiefs in this city, in San Luis, Guantanamo, Manzanillo, and Baracoa to furnish us with statements or lists of the men under their command. We have been waiting some days in order to give a showing of the total number of disbanded forces, with the collected statements. Up to the present we have only received a complete statement of the forces under Gen. Valeriano Hierrezuelo, consisting of 1,077 men, which statement is inclosed herewith, and two statements in figures, forwarded by Gen. Bernardo Camacho, showing 1,496 men, and we estimate the other groups as follows: Gen. Eduardo Dubois, 900 men; General La O, 200; Gen. Galano de Baracoa, 100; Gen. Pedro A. Pérez, 1,000, and Generals Capote and González Clavel, 700, viz:

Gen. Valeriano Hierrezuelo (Cuba).....	1,077
Gen. Bernardo Camacho (San Luis).....	1,496
Gen. Eduardo Dubois (Cuabitas).....	900
Gen. La O (Boniato).....	200
Gen. A. Galano (Baracoa).....	100
Gen. Pedro A. Perez (Guantanamo).....	1,000
Gens. Capote and Clavel (Manzanillo).....	700

5,473

making a total of 5,473 men, more of the 7 per cent of which appear to have been armed.

How many horses were in use by the revolutionary forces, how many did they return to their owners, and how many did they retain?

This question is also difficult to answer for lack of precise data. We should state that nearly all the rebels were mounted on their own horses or on horses which they seized.

In some corps the officers renounced their right to retain the horses; this Generals Perez, Capote, and Gonzales Clavel did. The horses returned by the rebels in this province amount to 330, as per inclosed statement, all of them belonging to the corps of Cuba, Cuabitas, Boniato, and San Luis. These forces make a total of 2,663 men, so that the horses which they have retained show a percentage of 11½ per cent.

In closing, we hope this report will suit the purpose for which it was requested by the provisional governor, to whom from time to time we shall forward the statements requested, if sent by the respective revolutionary chiefs of this province, so as to correct any errors which involuntarily may have been committed in preparing this report.

We remain yours, etc.,

F. PADRO GRIÑAN.  
FCO. DE P. VALIENTE.

Translated by De Armas.  
Copy.

E. F. LADD,  
*Military Secretary.*

HABANA, CUBA, November 8, 1906.

*The PROVISIONAL GOVERNOR, Island of Cuba.*

SIR: In accordance with your request, dated Habana, Cuba, October 16, I have the honor to continue the report of the disarmament commission convened by order of the provisional governor on September 29, 1906, and of which Gen. Frederick Funston, U. S. Army, was president and Lieut. B. J. Mitchell, U. S. Army, was recorder.

At the meeting of the commission on September 30, 1906, in addition to those referred to by General Funston in his partial report, the commission considered the following questions: The rationing of the revolutionary forces while being assembled and en route home, and the method of securing their arms.

On the question of rations it was presented that most of these forces had been held in the approximate locality they then occupied during most of the time since the armistice of September 16 went into effect; that in consequence the country had suffered great loss in forage, provisions, live stock, etc., and that the soldiers themselves and their horses had been on short rations. Therefore the commission decided that an issue of rations would justly save the immediate localities from further hardship and tend to improve the temper of the men, and instructed the individual members acting in different parts of the island to provide what food and forage they deemed necessary.

This proved to be a wise provision, as the country was practically bare of provisions. While in search of food many of the men had wandered 10 and even 20 miles from their command. Had food not been provided many more would have straggled away beyond control, perhaps formed into little bands to levy tribute on the country. By providing food they were for the most part assembled and brought under the peaceful influence of their commanders. Without exception, all officers I met, or have heard reports about, exerted their best influences to induce the men to return quietly to their homes and engage in their peaceful pursuits.

Several propositions were submitted as to the best and most satisfactory manner of securing the arms; the American members of the commission desired that the arms be delivered in the camps then occupied by the rebel forces; other members represented that the soldiers would consider it a disgrace to go home without the arms with which they set forth, and suggested that the forces proceed to the vicinity of their homes under the command of the several brigade commanders who would there disarm them and turn the arms over to the corps commanders, who were all members of the commission, and these commanders would deliver the arms to the provisional government.

Realizing fully that whatever method was adopted would result in securing only the arms the men and officers wished to deliver, and that undoubtedly there was some feeling of sentiment in the matter, the American members consented to the proposed plan, though knowing full well the plan would be criticised as too lenient by parties unfamiliar with the circumstances. Personally I was satisfied to accede to any request of this character, as I had spent almost two weeks in close touch with these rebel forces and knew that not one gun in ten was of any value. These worthless guns satisfied the pride of the men. While they have them they are not likely to get new ones. The island is so close to the States, the coast so broken that a schooner can touch unobserved in thousands of places, so that the question of securing arms is simply one of funds.

Some little further explanation seems necessary relative to the form of certificate given the men to cover the horses in their possession on October 1, 1906. (Exhibit B.)

The American members of the commission understood this certificate was to read that the horse in question belonged to the man holding the certificate to hold until the ownership should be determined by legal process. This condition, "until ownership shall be determined," was included in the only form of certificate I saw or heard read at the meeting, and no further thought was given the matter until after the certificates

had been printed in Spanish, distributed to the troops, and many of them issued, when it was found that the important condition concerning determination of ownership was not on the certificate issued. But it was now too late, the damage, if any, had been done, and nothing remained but to request the provisional governor to honor the certificate as actually issued, which he did with reluctance, realizing that its repudiation would simply involve us in trouble and cause a most damaging delay.

I attach herewith (Exhibit A) a telegram sent by Governor Taft during the disarming period which shows the view he had on the subject at that time.

I am unable to locate the responsibility for the misunderstanding, but it and some other slight differences were only made possible by the fact that in the great haste to begin operations the conditions agreed upon were not reduced to writing and signed by members of the commission.

But all reports go to show that this liberal action regarding the horses materially aided in disbanding the rebel forces. This being the case, the question of a horse, or even two, to each man is of minor importance except as to the principle involved.

The members of the commission were unanimous in the opinion that the important problem for the peace and prosperity of the Republic was to promptly return these raw and undisciplined men to their vocation of tilling the soil. Their mode of life was conducive to lawlessness. They were wholly dependent upon robbery for support. Many lawless individuals seized this opportunity to plunder in the name of the revolution, and there was imminent danger that this spirit might permeate a majority of the revolutionary forces and at any moment start them on a campaign of plunder and devastation. In fact, few people believed such a campaign could be averted.

Prompt action was also imperative in order to save the annual tobacco crop, already injured by the lateness of planting. A further delay of two weeks would probably cause a loss of \$20,000,000 in this one crop and seriously curtail a promising sugar output.

In his address to the Commission the provisional governor, Mr. Taft, forcibly urged the necessity of prompt action and speedy accomplishment of the difficult task he had intrusted to them, gave them full authority over all matters pertaining thereto, and declared his faith in their ability to succeed.

The entire work was accomplished in less than two weeks without the slightest disturbance, and reports from all over the island confirm the belief that all the forces recently under arms, estimated at 25,000, are engaged in lawful pursuits, well pleased at the prompt termination of a strife in which few engaged had any personal interest. I desire to call attention to the separate reports of members of the Commission to whom the work in different provinces was intrusted. These reports, as regards important points, are summarized as follows:

*Summary of disarmament reports.*

Province.	Work in charge of—	Number of rebel forces.	Number of arms received.	Where delivered.	Number of horse certificates issued.	Cost of ration, etc.
Santiago.....	General Padro and Vallente.	5,473	399	Rural Guard, Santiago	330	\$6,433.46
Camaguey.....	General Recio.....	1,506	179	Rural Guard, Camaguey.	286	1,690.74
Habana.....	Major Ladd.....	3,500	874	Rural Guard, Habana.	2,696	} 15,000.06
Pinar del Rio.....	do.....	7,000	693	C. O. Marines, Pinar del Rio.	2,000	
Santa Clara ....	Colonel Hernandez, General Monteagudo.	7,000	1,008	Rural Guard, Habana.	3,000	21,056.35
Total.....		24,479	3,153		8,312	44,080.55

For two weeks I have made every effort to obtain a detailed statement showing just what men received horse certificates, but I have been compelled to abandon the work, due to the fact that most brigade commanders did not keep a record of the certificates issued, claiming everything was done in such a hurry it was not practicable. For the desired information I have been compelled to fall back upon the reports by members of the Commission who distributed the certificates. Muster rolls of the commands of General Guerra and Loynaz del Castillo have been received, with few exceptions, and turned over to the commanding officer of the United States forces in Cuba. Rolls of the other forces can probably be secured, but I have been able to accomplish but little in that direction.

Reports indicate that most of the arms turned in were the same as used in the war of liberation against Spain, almost wholly old Remington carbines and sawed-off rifles, caliber .45. Almost all of them were unserviceable, and the men had very little ammunition.

From the above summary it appears that the percentage of men receiving horse certificates is greater in the province of Habana. This is explained as follows: In all cases many of the men started with their own horses, the others taking the horses of their neighbors, the men having an opportunity to exchange these stolen horses with other men from more distant localities did so. Those who did not have this opportunity did not have the cheek to return home laying claim to a neighbor's horse. This opportunity for advantageous exchange was greatest in Habana province, as these men mingled with the troops from both the adjacent provinces of Pinar del Rio and Matanzas. Again, many of the men who had their own horses traded with other men and were not sure of the title to the horse received in exchange for their own. The opportunities for such exchanges, voluntary or otherwise, were also greatest in Habana province. The percentage is least in the provinces of Camaguey and Santiago, where the men never went far from home, and so were, as a rule, compelled to return home with the same horses they started out with.

Upon the whole the labor of the members of the commission has been very satisfactory, a great work having been accomplished to the general satisfaction of the country whose interests were at stake.

I have found no evidence tending to show that the revolution received assistance of any kind from filibustering expeditions; the revolution was too short to get such a source of supply under operation. Neither is there visible evidence that the revolutionary committee received large cash contributions, though there are some reports to that effect.

By the summary above it will be noted that a rebel force estimated at nearly 25,000 men surrendered only 3,153 guns of various types, indicating that only a little over 12 per cent of the rebel forces were armed with guns. This is not borne out by my personal observation. One command of 3,000 men, accurately counted by myself and assistants, had 1,900 guns by actual count. I believe this proportion a conservative estimate regarding other forces coming under my personal observation.

I am convinced that few if any of the guns which were the personal property of the soldiers were surrendered; those delivered being the ones previously collected by the several rebel leaders and given the men at the organization of the revolution.

This does not necessarily mean that the leaders acted in bad faith. It is doubtful if they had sufficient control over their men to enforce a further delivery of arms. The men had every facility of secreting any arms they did not wish to surrender.

The terms of the agreement between Governor Taft and the revolutionary committee are shown by Exhibit C and further explained in Exhibit D, but neither the commission nor the provisional government were in a position to enforce literal compliance therewith, further than prompted by the good faith of the leaders in the field and made possible by their authority over the men under arms.

Very respectfully,

E. F. LADD,  
*Military Secretary.*

#### EXHIBIT A.

HABANA, CUBA, Oct. 5, 1906—las 5 p. m.

GEN. JOSÉ DE JESÚS MONTEAGUDO,  
CORONEL CHARLES HERNANDEZ,  
*Comisionados Desarme, Santa Clara:*

Following telegram received from Gen. José Miguel Gomez: "Your telegram received. Am I to understand that after taking this matter up with General Montea-gudo and Colonel Hernandez, should we decide that the infantry composed of 50 men is entitled to a retribution of \$50 to each man? Am I to understand that we are authorized to proceed with the said payments? The reason for the above is that the cavalry is already retributed with the appropriation of the horses whereas the infantry has none to appropriate." Following reply sent. "The agreement by the disarmament commission was merely that all soldiers were to be permitted to take their horses home, the question of ownership to be settled later, but there was no agreement to pay any money to any soldier, and I cannot approve any such agreement."

7.30 p. m.  
True copy.

TAFT.

E. F. LADD, *Military Secretary.*

[Inclosure.]

## EXHIBIT B.

No. ....  
Núm. ....Disarmament Commission.  
Comisión de desarme.

The Commission for disbanding the Army and in its name the undersigned commis-  
La Comisión para la disolución del Ejército, y en su nombre los Comisionados que suscriben,  
sioners certify that the horse, color.....of.....height  
certifican que el caballo de color.....de.....alzada y mar  
and branded.....belongs to.....of the Brigade  
cado con el hierro.....pertenece al.....de la Brigada  
.....of the Province of.....and for his protection  
de la Provincia de.....y para su resguardo  
the present is issued.....  
se le expide el presente en.....

For the Commission.  
Por la Comisión.

FRANCISCO DE P. VALIENTE.

F. PARDOFMAN.

## EXHIBIT C.

SEPTEMBER 29, 1906.

My DEAR SIR: I inclose herewith a copy of a letter which I have written to Señor  
Zayas of the revolutionary committee designing you as one of the commission to arrange  
the details of the surrender of the insurgent forces.

Will you kindly report to me as soon as you receive this.

Very sincerely,

WM. H. TAFT,  
Provisional Governor.

Brig. Gen. FREDERICK FUNSTON, etc.

Same letter sent to other members of commission.

A true copy.

E. F. LADD, *Military Secretary.*

## EXHIBIT 23.

## AMNESTY PROCLAMATION.

HABANA, October 10, 1906.

By the Provisional Governor, a decree:

Whereas it appears that the organized forces which until recently have been  
engaged in armed insurrection against the Government of Cuba have disbanded as  
such, with the result that active organized hostilities have ceased throughout the  
island; and

Whereas it accords with the purpose of the provisional government established by  
the United States in Cuba to promote, by prudent measures within its authority,  
an early restoration of Cuban self-government in accordance with the proclamation  
establishing this Government.

Now, therefore, be it known that I, William H. Taft, provisional governor of Cuba,  
by virtue of the power and authority vested in me by the President of the United  
States, do hereby proclaim and declare, without reservation or condition, except as  
hereinafter provided, a full and complete amnesty and pardon to all persons who  
have directly or indirectly participated in the recent insurrection in Cuba, or who  
have given aid and comfort to persons participating therein, for offenses political in  
their nature committed in the course of said insurrection and prior to disbandment.

The amnesty and pardon here granted shall be considered and construed as cover-  
ing the offenses of rebellion, sedition, or conspiracy to commit the same, and other  
related offenses, and as giving immunity from prosecution and punishment for  
seizures and appropriation of property for military use by the insurrectionary forces.

Judges of examination before whom prosecutions are pending for offenses covered  
by the amnesty and pardon here granted shall immediately discontinue such prose-  
cutions and transmit the records of their proceedings to the fiscals of their respective  
audiencias, which audiencias shall have the duty of entering in these causes and in  
all other causes of the same character already in their possession, orders in accord-  
ance with the terms of this proclamation. Fiscals of audiencias shall likewise take

the necessary steps to have this proclamation applied to causes in which judgment has already been rendered by the audiencias and to those in which sentence is now being served.

The procedure last above outlined will likewise be followed in prosecutions pending in the courts of Habana Province on account of the assault made on the rural guards at Guanabacoa, of that province, in February last, and in the proceedings known as "La Suiza," pending in the audiencia of the province of Santa Clara, all these proceedings having arisen out of the disturbances, political in their character, related in the causes which culminated in the recent insurrection. To all offenders in these two disturbances full and complete pardon is granted.

The action directed in the preceding paragraph is not to be construed as in the slightest degree justifying or palliating the guilt of persons engaged in the commission of the offenses at Guanabacoa or involved in the proceedings known as "La Suiza," for both were most deplorable, and under ordinary conditions the interest of the public would demand the strictest prosecution of such offenses; but the present high state of political excitement, the danger of public disturbance growing out of the emotions excited in the public trial of the offenses and in either the conviction or acquittal of the accused, make it vitally important in the public interest, and to secure the greatest good to the greatest number, that the prosecutions should be quashed and oblivion follow. It is hoped that thus can the peace, which is essential to this country, be secured.

Ordinary crimes are not comprised within the terms of amnesty and pardon here granted, but those punishable under existing law by correctional or light penalties, committed prior to disarmament and disbandment by members of the insurrectionary forces who have complied in good faith with the agreement of disarmament and disbandment, may be made the subject of special application for pardon to be forwarded to the department of state and justice for the consideration of the provisional governor. Where prosecutions have been instituted in the class of cases here referred to, all proceedings therein will be suspended upon receipt of notice, to be communicated by the department of state and justice to the proper court, that an application for pardon is pending before the provisional governor and until the decision of the provisional governor thereon has been duly promulgated.

Individuals or bands who, after the date of this proclamation, are found in arms or disturbing the public order or otherwise violating the laws of the Cuban Republic, will be denied all benefits of the preceding paragraph, and will furthermore be arrested and proceeded against for such new violations of law as under normal conditions.

WM. H. TAFT,  
*Provisional Governor.*

PEDRO F. DIAGO,  
*Acting Secretary of State and Justice.*

#### EXHIBIT 24.

HABANA, CUBA, October 26, 1906.

The PROVISIONAL GOVERNOR OF CUBA,  
*Habana, Cuba.*

SIR: I have the honor to submit the following statements showing the condition of the Cuban treasury relative to its ability to meet the current and extraordinary expenses of the Republic for the current year and at the same time carry on the numerous projects imposed by the regular budget and special appropriation acts.

October 1, 1906, to July 1, 1907:

Balance required to meet budgets.....	{ \$377, 174. 77 17, 071, 249. 78	\$17, 448, 424. 75
Cost of war (estimated).....	5, 300, 000. 00	
Paid to October 1, 1906 .....	2, 970, 571. 28	
Outstanding to meet war expenses .....		2, 329, 428. 72
Cost of increase in rural guard (2,000 men).....		1, 000, 000. 00
Cost of military occupation.....		500, 000. 00
To meet claims incident to revolution.....		1, 000, 000. 00
Special acts outstanding (Exhibit A-3).....		8, 768, 406. 72
		31, 046, 260. 19

To offset which we have—

Balance in treasury October 1, 1906 (Exhibit A, 1-2-3)—	
Special laws.....	\$8,768,406.72
General revenue .....	1,060,789.98
Foreign debt bonds <sup>a</sup> .....	1,000,000.00
	10,829,196.70
Estimated revenue, 9 months“ .....	16,000,000.00
	26,829,196.70
Total assets .....	
Showing a deficit of .....	4,217,063.49
	\$31,046,260.19

The results show that the deficit is approximately \$4,000,000 above surplus on hand and revenues. In the time possible to devote to this subject at present I can only deal with generalities.

In estimating the revenues for nine months at \$16,000,000 I am governed by the supposition that conditions resulting from the revolution will necessarily curtail credit and decrease importations. Damage to crops by the recent hurricane will also operate to the same end, and it is not believed the revenues will much exceed \$1,700,000 per month—the revenue for September and October, as far as I am able to judge by the record to October 20. While this estimate is liable to error, it is based upon as thorough an investigation as can be made. I believe all the other estimates are conservative and based upon the best information obtainable at present.

From the above statements it will be seen that the deficit for the year will probably wipe out the entire surplus of \$8,536,879.46 on hand at the beginning of the fiscal year and perhaps leave the Republic in debt.

If this is to be avoided it would seem necessary, not only to economize on all new projects, but to curtail the expenditures under the special appropriation acts and possibly the budget.

As stated above, these special acts outstanding carry a total of about \$9,000,000. I am informed many of the contemplated projects have not been commenced. It is also true that many of them will not need to be met this fiscal year. The plan has been to prosecute these various works only as funds were available, but I am informed there is constant pressure brought to bear for funds under these special acts while they remain on the statute books.

The special act of July 5, known as the railroad-subsidy act, carries a total of about \$3,000,000, only \$500,000 of which is included in the total of \$9,000,000. But this appropriation is to be used only as new mileage is built, and little or none will probably be required this year.

Of the \$9,000,000 in special acts outstanding, about four millions (\$4,000,000) was appropriated since June 30, 1906. As previously stated, none of these special acts pertain to any particular fiscal year and need not be met until such time as funds are available; but to avoid probable friction between the finance department and the other departments where the special acts apply, it would seem advisable to have

OCTOBER 26, 1906.

<sup>a</sup> As a further guide in estimating the revenues for the balance of the year, the records show that for the corresponding period of the last two years the revenues were as follows:

October 1, 1904, to July 1, 1905.....	\$19,536,166.23
October 1, 1905, to July 1, 1906.....	19,720,438.50
October 1, 1906, to October 20, 1906.....	1,294,592.60

A falling off of about \$400,000 per month compared with former years is anticipated. The reduction for September and October of this year will exceed this amount but it is hoped conditions will improve for the rest of the year.

At the last moment a doubt has arisen as to what fund these bonds belong, and whether or not they can be counted as available cash assets of the Treasury. The Comptroller of the Treasury says they can be so accounted and belong to the general revenue fund of the island. I was somewhat in doubt as to this statement when I hastily examined the books this morning, but did not wish to delay this report for a further investigation.

these appropriations carefully revised, with a view of deciding which are necessary and are to be prosecuted with the limited funds likely to be available.

I am not qualified to make recommendations in each individual case, but believe the best plan would be to promptly cancel many of the special acts when work has not yet been started, thus cover the funds into the general treasury, subject to further investigation and action of the proper authority. I inclose a statement of these special acts showing those not yet involved (Exhibit B).

The acts of January 30, February 26, July 12, and July 16 of 1906 for public works cover nearly three hundred separate projects, a large majority of which have not been started. Time will not permit the elaboration of this statement to show these numerous accounts, but a further report will enumerate them.

The annual interest on the \$35,000,000 5 per cent gold bonds of the Republic is not considered in any of these computations. It has been met up to March, 1907, from special funds derived from internal revenue, which funds are not available for any other purpose, and these receipts do not figure in the estimated revenues of the island.

The interest on the other bonded indebtedness of the Republic is met by the budget already considered.

I also anticipate that considerable saving may be made from the regular budget, which exceeds the previous budget by nearly \$4,000,000.

This report may be summarized in round numbers as follows:

Balance required to meet regular budget .....	\$17, 500, 000
Estimated balance required to meet war expenses .....	2, 000, 000
Estimate necessary to meet increase of rural guard, expenses of military occupation, and damage claims incident to war .....	2, 500, 000
Balance required to meet special appropriations .....	9, 000, 000
<b>Total liabilities.....</b>	<b>31, 000, 000</b>
<b>Available balance October 1, 1906 (Exhibit A-1-2-3).....</b>	<b>11, 000, 000</b>
<b>Estimated revenue remaining nine months.....</b>	<b>16, 000, 000</b>
<b>Total assets .....</b>	<b>27, 000, 000</b>

Leaving a deficit of \$4,000,000, provided all outstanding obligations were to be met during the year.

Of the \$9,000,000 special appropriations outstanding many have not been involved, and can be canceled without detriment; many others can be greatly reduced. I also anticipate material saving on regular budget which exceeds former budget by nearly \$4,000,000. Allowance has been made to meet a falling off in revenue due to the war and damage by the hurricane, but restoration of confidence may increase the revenues beyond the estimates, and I believe the conditions, as bad as they may appear upon superficial examination, can be met without serious harm to the industries of the country or the credit of the Republic.

Very respectfully,

E. F. LADD,

*Military Secretary, Supervisor of Treasury.*

#### EXHIBIT A.

##### *Situación del tesoro en 29 de Septiembre de 1906.*

	Debe.	Haber.
En efectivo .....		\$12, 692, 655. 04
En Bonos de la Deuda Exterior .....		1, 000, 000. 00
Remesas en tránsito .....		82, 531. 40
Ordenes de Adelanto en tránsito .....		
<sup>2</sup> Bonos de la Deuda Exterior .....	\$1, 000, 000. 00 <sup>3</sup>	
<sup>1</sup> Leyes Especiales .....	8, 768, 406. 72 <sup>1</sup>	
Fondo Giros Postales .....	188, 817. 70	
Id. Deudas Pendientes .....	8, 974. 56	
Id. Consules Honorarios .....	406. 77	
Id. Impuesto del Empréstito .....	827, 177. 34	
Id. Depósito del Empréstito 1 <sup>o</sup> 50 % .....	198, 194. 66	
Id. Saldo Haberes del Ejército 2 <sup>o</sup> 50 % .....	1, 722, 445. 71	
<sup>2</sup> Fondo de rentas .....	1, 060, 789. 98 <sup>2</sup>	
	<b>13, 775, 186. 44</b>	<b>13, 775, 186. 44</b>



## EXHIBIT B.

*Statement showing special appropriation acts outstanding and the amount already allotted on each.*

Date of act.	Purpose.	Total amount.	Already allotted.	Balance.
14 enero 1904	Gbnos. Civiles	138,677.52	34,714.38	103,963.14
25 dic. 1903	Gasts Elecciones	370,000.00	330,000.00	40,000.00
6 enero 1906	Barracas Hospital, N.º Uno	24,000.00	3,000.00	21,000.00
12 nov. 1900	Gbno. Interventor Estudio Acueducto Santa Clara.	10,728.69	9,000.00	1,728.69
11 mayo 1905	Sub. Escuela de San Carlos	2,400.00	600.00	1,800.00
17 dic. 1903	Acueducto P. Rio	96,000.00	19,836.85	76,163.15
12 enero 1904	Acueducto Camaguey	200,000.00	23,225.48	176,774.52
12 enero 1904	Acueducto Guanabacoa	250,000.00	228,203.21	21,796.79
12 enero 1904	Acueducto Santiago	200,000.00	145,000.00	55,000.00
13 dic. 1904	Aula Magna Universidad	50,000.00	2,500.00	47,500.00
13 dic. 1904	Material Escuela Ingenieros	20,000.00	14,000.00	6,000.00
28 feb. 1905	Campamento Triscornia	60,000.00	56,854.70	3,145.30
5 julio 1905	Devolución Fianza por Elecciones	10,500.00	9,500.00	1,000.00
30 enero 1906	Crédito para Obras Públicas	3,000,000.00	309,057.56	2,690,942.44
30 enero 1906	Gastos Cuba Convenc. Berna	15,000.00	13,321.58	1,678.42
26 feb. 1906	Obras para evitar inundaciones, Roque	50,000.00	12,000.00	38,000.00
15 mayo 1906	Edificio para Adna. Matanzas	50,000.00	.....	50,000.00
31 mayo 1906	Estudio hijo Gral. Maceo	600.00	150.00	450.00
31 mayo 1906	Estudio hijo Gral. Aguirre	600.00	150.00	450.00
28 junio 1906	Estudio hijo Gral. Lacroix	1,018.77	568.77	450.00
18 junio 1906	Para adquirir tierras monumento Gral. Maceo.	5,000.00	.....	5,000.00
27 junio 1906	Socorros con motivo últimas inundaciones.	250,000.00	215,143.85	34,856.15
28 junio 1906	Accto. Camaguey	600,000.00	.....	600,000.00
28 junio 1906	Reparaciones y mobiliario del Senado	94,500.00	10,000.00	84,500.00
3 julio 1906	Edificio Adna. Stgo. de Cuba	81,500.00	.....	81,500.00
4 y 12 julio 1906	Jdos. Consolación del Sur y Guanajay	18,425.54	4,168.28	14,257.26
4 julio 1906	Alquiler edificio Cámara	9,000.00	4,500.00	4,500.00
4 julio 1906	Servicio Coleen. Legislativa	10,200.00	2,549.91	7,650.09
4 julio 1906	Balneario de Madruga	40,000.00	.....	40,000.00
4 julio 1906	Saneamiento Pueblo Madruga	20,000.00	1,500.00	18,500.00
4 julio 1906	Balneario San Diego	40,000.00	.....	40,000.00
4 julio 1906	Balneario Ciego Montero	40,000.00	.....	40,000.00
4 julio 1906	Acueducto Santiago de Cuba	200,000.00	.....	200,000.00
5 julio 1906	Subvención a ferrocarriles	500,000.00	.....	500,000.00
11 julio 1906	Aumento sueldo Catedráticos	78,090.43	14,198.26	63,892.17
11 julio 1906	Fomento Inmigración	1,000,000.00	33,639.94	966,360.06
27 julio 1906	Edificio Instituto 2.ª Enseñanza	150,000.00	200.00	149,800.00
3 julio 1906	Un jefe inspectores para Secretaria de Instrucción Publica.	2,000.00	500.06	1,499.94
12 julio 1906	Obras Públicas	1,210,404.90	110,928.21	1,099,476.69
16 julio 1906	Asilo Correccional Guanajay	80,000.00	2,977.58	77,022.42
16 julio 1906	Saneamiento, incluyendo Guanto	344,000.00	168,869.50	175,130.50
16 julio 1906	Obras Lazareto	317,000.00	.....	317,000.00
16 julio 1906	Construcción Hospital No. 1	150,000.00	.....	150,000.00
16 julio 1906	Gastos Hospital Camaguey	9,600.00	.....	9,600.00
18 julio 1906	Hospital Dementes	160,000.00	15,000.00	145,000.00
26 febrero 1906	O. P. en Provincia	737,000.00	32,500.00	704,500.00
5 setiembre 1905	Subvención a Cuba R. R. Co.	798,450.00	532,300.00	266,150.00
		11,494,695.85	2,360,658.12	9,134,037.73

HABANA, CUBA, *October 29, 1906.*

THE PROVISIONAL GOVERNOR,  
*Habana, Cuba.*

SIR: I have the honor to continue my report of the 26th instant, regarding the Cuban treasury, touching in particular upon the right of this Republic to count as available assets the \$1,000,000 in 5 per cent bonds of the Republic on hand October 1, 1906.

These bonds were purchased out of a surplus of funds from internal revenue on hand June 21, 1905, and at a cost of \$1,062,500, and were carried as pertaining to this special revenue created to provide funds to meet the interest and sinking fund for the first bond issue of the Republic, amounting to \$35,000,000.

This bond issue was made in conformity with the act of January 25, 1904, which act specially provides for the funds necessary to meet the guaranty of an amount equal to 15 per cent of the gross customs receipts of the island, the terms of this guaranty being set forth in the contract with Speyer & Co., dated May 11, 1904, and of which contract this internal-revenue act of January 25, 1904, is made a part.

Article IV, Section XII, of this act specifies "The surplus which may result from this tax shall be applied to the voluntary retirement of the bonds which may be issued, *unless some other application is determined by law*," leaving Congress to do as it sees fit with whatever surplus accrues after the annual interest charges have been met.

Beginning March 1, 1910, a sinking fund of \$85,000 per month must also be provided before there is a surplus. By the act approved August 29, 1905, provision is made for funds and bonds to meet the payment of the second 50 per cent due the army of liberation, as follows:

Article 1 reads: "The Executive will apply, as far as possible, toward payment of the fifty per cent (50%) due for wages of the army of liberation the following funds which he may have in his possession ninety days after the promulgation of this law. Surplus of the loan of thirty-five million dollars, surplus of receipts from taxes as decreed in the law in reference to said loan (act of January 25th, 1904) and surplus on that date in the public treasury," etc. (See Inclosure A.)

In accordance therewith the surplus to the credit of this special internal-revenue law on November 29, 1905, amounting to \$3,337,249.71, was covered into the general treasury. This amount included the \$1,000,000 in bonds in question, which, by the terms of this act became and remain part of the general funds of the treasury available to meet liabilities of all kinds.

I submit the following as a succinct account of the bond transactions of the Cuban Republic issued to meet payments due the soldiers of the army of liberation.

The total of these claims audited and approved by the commission of which Gen. Maximo Gomez was president was \$56,023,148.78, 50 per cent of which is \$28,011,574.39.

The enabling act of January 25, 1904, authorized an issue of \$35,000,000 of 5 per cent bonds, the proceeds from the sale of these bonds to be applied in paying 50 per cent on each of these claims.

These bonds were sold to Messrs. Speyer & Co., of New York, for	
90½ per cent, netting.....	\$31, 675, 000. 00
50 per cent of the claims amount to.....	\$28, 011, 574. 39
Expenses incident to .....	326, 175. 90
	<hr/> 28, 337, 750. 29

Leaving a surplus of.....	3, 337, 249. 71
---------------------------	-----------------

The total balance necessary to meet these payments has been set aside, though some of the claims are still in the course of liquidation.

On August 29, 1905, the President signed an act providing for funds and bonds to meet the second payment of 50 per cent due the army. This act is appended and marked Exhibit A.

By the terms of this act on November 29, 1905, cash to the amount of \$18,663,049.13 was set aside for this payment, the treasury statement on that date being:

Surplus from 35 million bond sale .....	\$3, 337, 249. 71
Surplus from internal-revenue receipts.....	3, 968, 597. 88
Surplus in the public treasury.....	17, 357, 201. 54

Total available balance .....	24, 663, 049. 13
Deducting the sum of.....	6, 000, 000. 00

Required by the act gives.....	18, 663, 049. 13
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in cash to partially meet this second payment of 50 per cent to the army.

This reserve of \$6,000,000 was made up of—

1,000,000 bonds Cuban fives.....	\$1, 062, 500. 00
Cash .....	4, 937, 500. 00
	<hr/> 6, 000, 000. 00

This appropriation of \$18,663,049.13 covers about two-thirds of the amount due on this second payment; the other third was to be met by issue of 5 per cent bonds of the denomination of \$100. The rule adopted in making these payments has been to pay half of the outstanding claims in bonds, the remainder in cash; when one-half the claim was less than \$100 the whole claim to be paid in cash. In this way many of the claims which were small were settled in full in cash.

To meet these claims payable in bonds, \$10,900,000 in bonds have been issued, making a total of—

In cash .....	\$18,663,049.13
In bonds .....	10,900,000.00
	<hr/> 29,563,049.13

On October 1, 1906, there was of this amount on hand as follows:

	Cash.	Bonds.
In treasury .....	\$1,561,620.11	\$59,200.00
In Royal Bank of Canada .....	1,767,762.83	718,500.00
	<hr/> 3,329,382.94	<hr/> 777,700.00
		8,329,382.94
Total cash and bonds on hand.....		<hr/> 4,107,082.94

Cash and bonds provided for this payment.....	\$29,563,049.13
Balance on hand .....	<hr/> 4,107,082.94

Showing already paid.....	\$25,455,966.19
Total required to meet second 50 per cent.....	\$28,011,574.39
Already paid .....	<hr/> 25,455,966.19

Balance due.....	2,555,608.20
To meet which there is on hand.....	<hr/> 4,107,082.94

in cash and bonds, indicating a surplus of something over a million and a half when this payment shall be closed. This arises from the fact that payments could not be made in the exact proportions the cash and bonds bore to the total payment, more than the proper proportion having been paid in bonds. The interest on the \$35,000,000 first bonds is provided for by the internal-revenue receipts under the law of January 25, 1904, which is a part of the contract under which they were sold.

This law produces over \$3,500,000 annually to meet a payment of \$1,750,000 and expenses amounting to about \$500,000, leaving a balance of over \$1,000,000 a year at the disposal of Congress until 1910, when a sinking fund of \$85,000 per month must be provided to redeem the bonds. This amounts to \$1,020,000 per annum. From which it will be seen that under present conditions and as they have existed for the last two years the internal-revenue law of January 25, 1904, will be sufficient to meet all obligations incident to the issue of \$35,000,000 of bonds. Interest on the second issue of \$10,900,000 bonds and their redemption is to be met from the annual budget.

There are also outstanding, recognized by the act signed July 24, 1906, and properly approved, bonds of the Cuban junta issued 1896 and 1897, amounting to \$2,171,820, bearing interest at 6 per cent. All back interest has been paid; future interest is to be met from the budget or special acts.

This makes a total bonded indebtedness of the Republic as follows:

First bonds—exterior loan, 5 per cent.....	\$35,000,000
Second bonds—interior loan, 5 per cent.....	10,900,000
Cuban junta bonds, 6 per cent .....	<hr/> 2,171,820
Total .....	<hr/> 48,071,820

The \$35,000,000 issue can not be redeemed until March, 1910, when \$85,000 a month must be retired, so that the entire amount shall be retired in forty years from date of issue.

The other issues can be retired at any time.

The records seem to indicate that there are still outstanding, unrecorded, a small amount of the Cuban junta bonds, but probably not exceeding \$25,000.

The data for this report were obtained from the records furnished me from the comptroller's (contaduría de hacienda) office, which I have assumed to be correct.

Very respectfully,

E. F. LADD, *Military Secretary.*

A true copy.

F. R. McCoy, *Aide.*

## INCLOSURE A.

## DEPARTMENT OF THE TREASURY.

Tomas Estrada Palma, Constitutional President of the Republic of Cuba.

Be it known that Congress has voted and I have sanctioned the following law:

ART. 1. The Executive will apply as far as possible towards payment of the fifty percent (50%), due for wages of the army of liberation, the following funds which he may have in his possession ninety days after the promulgation of this law. Surplus from loan of thirty-five million dollars. Surplus of receipts from taxes as decreed in the law in reference to said loan, and surplus on that date in the public treasury.

From the computation of the foregoing amounts six millions shall be first set aside as a reserve fund in the public treasury to meet payments determined by Congress.

ART. 2. After making the payments referred to in the preceding article, the balance in favor of each creditor will bear interest at the rate of five per centum (5%) per annum, to be reckoned from ninety days after the date of the promulgation of this law.

ART. 3. Each creditor shall receive for the balance due him bonds to be designated interior-debt bonds. Said bonds shall bear interest at the rate of five per centum (5%) per annum, payable at the expiration of each six months by means of coupons to be delivered with the bonds.

ART. 4. There shall be stated in every ordinary budget the amount which Congress decided to invest in the payment of the aforesaid bonds.

ART. 5. Payment shall be made by drawings by lot, and when so paid the bond shall be completely destroyed.

ART. 6. The bonds referred to in art. 3 shall be of \$100 each. In each settlement made as provided in art. 2 of this law, fractions of less than \$100 shall be paid in cash.

ART. 7. The provisions of the Commercial Code (Código de Comercio) in reference to documents payable to bearer shall apply in all those cases not provided for in this law.

ART. 8. All laws, regulations, orders, and other provisions whatsoever contrary to the fulfilment of this law are hereby annulled.

Done at the Presidential Palace in Havana, August 29, 1905.

T. ESTRADA PALMA.

## EXHIBIT 25.

REPUBLIC OF CUBA,  
UNDER THE PROVISIONAL ADMINISTRATION OF THE UNITED STATES,  
*Habana, October 11, 1906.*

Respectfully referred to Governor Magoon, with the statement that it is absolutely impossible for the provisional government of Cuba, administering the affairs of the Republic, to recognize for one moment that the Isle of Pines is not completely under the jurisdiction of the provisional government as a part of the Republic of Cuba; that while the fact that a majority of the residents of the Isle of Pines are Americans may call for exceptional provisions in respect to provincial and municipal government, any of the three bases mentioned in the communication of October 1, involving an entire separation of the Isle of Pines from the island of Cuba, is wholly inadmissible. It would be a violation of the sacred trust imposed upon the provisional government—to preserve the interests of Cuba intact during the incumbency of that government.

WM. H. TAFT.

## EXHIBIT 26.

**SPEECH OF WM. H. TAFT, PROVISIONAL GOVERNOR OF CUBA, AT THE OPENING EXERCISES OF THE NATIONAL UNIVERSITY OF HABANA, OCTOBER 1, 1906.**

*Ladies and Gentlemen and Members of the University of Habana:*

I count it a peculiar honor, in a moment of temporary place, as the executive of this island, to take part in the exercises of this great university. It is of special interest and honor to me because it was my good fortune when exercising the execu-

tive function in the Philippine Islands, in the antipodes, to take part in a similar ceremony in a university founded by the same order and under similar influences, more than one hundred years before this university was founded. I refer to the University of St. Thomas, of Manila, founded by the order of the Dominicans, and still continued under that authority.

Members of the Latin race are accustomed, and not without reason, to characterize those of us of the Anglo-Saxon race as abrupt and conceited in our view of our power of pushing civilization; but those of us who have occasion to come close to the civilization of the Spanish race and its descendants have had borne in upon us the consciousness that the Anglo-Saxon race has much to learn from the intellectual refinement, the logical faculties, from the artistic temperament, from the poetic imagery, from the high ideals, and from the courtesy of the Latin and Spanish races.

One must know the history of these colonies to realize the tremendous force that Spain has exerted in the civilization and progress of the world. But nations, like men, suffer action and reaction. The great public works that Spain has erected the world over testify to her patience and enterprise in centuries when we of the Anglo-Saxon world were struggling with something much less pretentious. The history of the early Spanish navigators and of her early colonies grows on one as it is studied. But the civilization of Spain, her civil life and all her institutions, were founded on the idea of the control of one man or a few men in the State, and that idea has ceased to have force in the world. In the Anglo-Saxon world the principle was early brought to the front that those of the people who had education enough to know what their interests were were more safely to be trusted with determining how those interests should be preserved than one man or a few men, however altruistic these men might be; and because we began earlier in the Anglo-Saxon countries, and because in that respect and in the development of that idea we have the advantage of two hundred years of education in self-government, we unreasonably plume ourselves on a superiority in the matter of the knowledge of government which only circumstances have given us. Now we have arrived at a stage when the attention of the world is being directed toward the Tropics, and along with this attention comes the movement toward popular government. It has recently fallen to the lot of the people of the United States who have struggled along the road to popular government, have at times fallen down and then picked themselves up again to aid some of the countries who have not had that experience in coming to the enjoyment and benefits of popular government. The island of Cuba, established as a Republic four years ago, made such rapid progress in four years as almost to intoxicate those of us who believed in popular government. It was very like the growth of a tropical plant that needed possibly to be cut back in order that the stem or stalk might gain in strength. It was perhaps necessary that this people should have, sad as it was, a warning that the foundation upon which popular self-government must be laid, must be broad and solid, rather than high and conspicuous. It is sad to me to be called to this island, and still sadder to my chief, President Roosevelt, who was so identified with the liberation of this island, to be here at the time of a stumble in the progress toward popular self-government of this people. But however that may be, it has given us the opportunity which I now am glad to be able to take, to assure you in the name of President Roosevelt and the American people that we are here only to help you on. With our arm under your arm, lifting you again on the path of wonderful progress that you have traveled, we shall, I am confident, be again able to point with pride to the fact that the United States is not an exploiting nation, but only has that deep sympathy with the progress of popular government as to be willing to expend its blood and treasure in making the spread of such government in the world successful. Now, following the usual course of the Anglo-Saxon race, which I have referred to as somewhat conceited and abrupt, perhaps you will pardon me if I invite your attention, as an educated and intelligent audience, to some of the difficulties of your people and of a possible method of meeting them. Your difficulty was this, that you were brought up under the fifteenth and sixteenth century ideas of government, the government of one man, or a few men, and that you were taught to look to somebody else for the responsibility of government. You exercised only the function of criticism (and in old days that criticism had to be restrained in the face of the government), and the most of your people, especially those of the educated and wealthy classes, trained themselves to occupy a position not of indifference, but of inactivity with reference to political and governmental matters. Now, it seems to me I find here a relic, although the reasons for it have disappeared, of that condition, and I find that the law is committed to one class, that the medicine is left to another class, that the commercial interests are left to a third class, and that the political matters are left to a fourth class, and that the three classes other than the political class lean back through the influence of past association

and watch with intense interest, but I fear with not a great deal of influence, what is done by their government. I venture to suggest that if the other classes do not take an active part and insist on exerting their influence in politics, the question naturally arises what was the necessity for changing your form of government at all. The theory of popular government is that all classes shall exercise decided political influence. Now, I have discovered (one thinks he learns a great deal in a few days, and it is quite characteristic of the Anglo-Saxon race that I should be talking to you in this way, but I must talk), it has seemed to me, that your ideals are too high; I speak that with a qualification. An idea that is so high that it is beyond reach of the real is not very useful. Soaring in the blue ethereal without any knowledge of the ground to which you must come is dangerous, because before you get through you are apt to strike the ground, and the higher you get the more disastrous the fall. As the distinguished speaker of the day said as he closed his remarks (for that is what I think he said, if my very limited knowledge of Spanish serves me), the hope of this country is in the generous and educated youth who are graduating from this and other institutions. Now, I do not want to say anything that is going to jar or make uncomfortable the young men going forward into life to become most useful, and yet I must speak the truth. There are one or two traditions that still persist in this civilization, first of which is that the learned professions are the only pursuits worthy of graduates of universities and educated men. This is a great mistake. In the first place a university education is not an obstruction to success in commercial and mercantile life. It aids, if properly used. I am afraid that the young Cubans who are coming forward into life are not sufficiently infused with that mercantile spirit of which we have too much in America. What you need here among the Cubans is a desire to make money, to found great enterprises, and to carry on the prosperity of this beautiful island, and the young Cubans ought, most of them, to begin in business. Everyone knows your capacity and ability and there will be no trouble in your forcing yourselves ahead in the next generation, so that the banks and the commercial houses and the shipping interests of this country shall be in Cuban hands and not in the hands of foreigners. It is quite true that in order to develop Cuba you must have foreign capital, and the profound debt of gratitude that this country owes to that great man, Tomás Estrada Palma, is that he realized more than any of the Cuban people the necessity for bringing capital in here and convincing the world of the conservative character of your government in order that foreign capitalists might depend upon the security without which capital can not come. But the coming of foreign capital is not at all inconsistent with the gradual acquirement of capital by industrious, enterprising, intelligent, energetic, patriotic Cubans. The right of property and the motive for accumulation, next to the right of liberty, is the basis of all modern, successful civilization, and until you have a community of political influence and control which is affected by the conserving influences of property and property ownership, successful popular government is impossible. Therefore, I urge upon the young men who are going out into life to-day, who have shown excellence in their studies evidenced by these diplomas, that they devote their attention, if they have estates in the island, to the betterment of those estates; and that others who have not estates, if they can get into commercial houses and into commercial pursuits, do so, so that when twenty-five years hence, a sympathetic stranger comes here again he may not find the governing or political class, the commercial class, the class representing the sciences and the professions, all different and divided, so that you do not have the benefit of a mixture of all those classes to form that without which a successful republic is absolutely impossible—a safe, conservative, patriotic, self-sacrificing public opinion.

It gives me great pleasure, ladies and gentlemen, to have met you and to have had the honor of saying this much to you, and I wish to thank the rector of the university and the faculty for giving me the opportunity. I have only to say to you "be not discouraged;" no one ever achieved a high ideal without failing two or three times, and the only way to make failures successes is to make those failures the vehicle of leading on to success, to take to your hearts the lesson that each stumble and each failure ought to teach and the next time to avoid that particular danger and move on toward success. Nothing worth having was ever planned without struggle and work and disappointment and failure. When everything is smooth, when the winds blow the right way, and when you seem on the high road to success, then is the most dangerous time. It is when you are humbled, with a lesson taught from a disappointment, that you are in the proper spirit to win success. I thank you.

Viva la Republica de Cuba.

## **APPENDIX F.**

### **EXECUTIVE ORDER.**

It is hereby ordered that the temporary administration of the Government of the Republic of Cuba in virtue of the requirements of Article three of the Treaty of May twenty-second, one thousand nine hundred and three, shall be conducted in Havana by the Provisional Governor subject to the supervision of the Secretary of War; and all business in relation thereto in this country will be transacted in the Bureau of Insular Affairs of the War Department, where it will be made a matter of official record.

**THEODORE ROOSEVELT.**

**THE WHITE HOUSE,**  
*October 23, 1906.*

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## REPORT OF THE CHIEF OF STAFF.

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## REPORT OF THE CHIEF OF STAFF.

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WAR DEPARTMENT,  
OFFICE OF THE CHIEF OF STAFF,  
*Washington, November 20, 1906.*

SIR: Since the rendition of the last annual report the following changes have occurred in the office of the Chief of Staff: Lieut. Gen. Adna R. Chaffee, retired from active service on February 1, 1906, was succeeded by Lieut. Gen. John C. Bates, who served until his retirement, April 14, 1906, on which date Brig. Gen. James F. Bell was appointed to the office. The undersigned has been Acting Chief of Staff since October 6, when General Bell left to assume command of the Army of Cuban Pacification.

### EMPLOYMENT OF THE ARMY.

During the past year the country enjoyed a period of peace, and that part of the Regular Army in the United States was employed in such garrison and field work as was deemed necessary to keep it in a state of preparedness for war. Some trouble developed in the Philippines Division, notably in the island of Samar, too difficult and widespread for the constabulary to cope with alone, and detachments of the Regular Army were used to restore order.

In the last report reference was made to the death of Datu Ali, which had just been reported. This event, followed by the capture or destruction of his immediate following, brought peace to the Cotabato Valley, Mindanao. Later in the year several hundred Moro fanatics in the Island of Jolo banded together and by their lawless conduct became a menace to the peace of the community. Earnest efforts to secure the peaceful dispersion of these people failed, and it became necessary to resort to force, culminating in the capture of their stronghold on Mount Dajo early last March and in the disbanding of this disturbing element.

### EXTRA FORCE IN PHILIPPINE ISLANDS.

Early in the calendar year the force in the Philippine Islands was temporarily increased by two regiments of infantry and two batteries of field artillery, but the strength of the Regular Army in

that division is now being reduced to the normal; namely, four regiments of cavalry, nine regiments of infantry, three batteries of artillery, and the proper complement of engineer and signal corps.

Referring to the subject of a reduction of troops in the Philippine Islands, the commanding general of that division in his annual report says:

The conditions now existing throughout the archipelago are the result of a number of years of hard work, and have been attained at the expense of a very considerable number of lives on the part of the troops and of a very large number on the part of the natives, and there should be no experiment made in the way of reducing the garrison until long-continued conditions of good order clearly indicate that such reduction will be safe.

#### DISASTER AT SAN FRANCISCO.

On April 18, the city of San Francisco was visited by a series of earthquake shocks which demolished many buildings. This was followed by a fire which, due to the rupturing of the principal water mains of the city, was soon beyond control. The disaster was so far-reaching and overwhelming that it was entirely beyond the capacity of the local authorities, and the United States forces in the vicinity, both of the Army and of the Navy, rendered immediate assistance. Authority was given to concentrate at San Francisco all forces within the Pacific Division, and later this force was supplemented by troops from other divisions, resulting in a final concentration of 2 regiments of cavalry, 15 companies of coast artillery, 5 batteries of field artillery, 5 regiments of infantry, and detachments of the engineer, signal, and hospital corps, and 132 additional officers.

The following summary, taken in large part from a general order published early in July by the commanding general, Pacific Division, is a succinct statement of the general situation.

The work done by this force readily falls into two phases—the struggle to save the city of San Francisco from complete destruction by fire, and the succoring of more than 300,000 suffering and destitute people. The work of the Army and Marine Corps in the heart of the city, supplemented by the labors of the Navy along the water front, saved the residential western addition and practically all the wharves fronting the bay. The efforts of the troops from daybreak of April 18 to midnight of April 20 taxed to the utmost the physical strength, the nervous energy, and the good temper of every officer and man. Yet in this fearful disaster, with its accompanying confusion and excitement, no life was taken by any man of the Army or Navy. The labor of relief, recognized as beyond the law and assumed by the division commander from a sense of obligatory public duty, became regular by the official call for troops. This duty necessitated the care of nearly 350,000 people, destitute in one way or another, in a city without local transportation, without food, with scant water, and without sanitary facilities, while about one-half its population had lost houses, clothing, furniture, and bedding.

It likewise involved repression of theft and violence by the vicious, non-interference with the liberty and acts of the ordinary citizen, discrimination in the distribution of food, enforcement of suitable sanitary methods, instruction in camp life, patient consideration and courteous deportment toward the homeless and destitute.

The adaptability and resourcefulness shown by officers and men when dealing with novel and unprecedented conditions, their consideration and thoughtfulness in alleviating distress, their unvarying courtesy to all, and their uncomplaining devotion to the community and its interests are most commendable, and have exemplified anew the admirable attributes of the officers and men of our Army, which insure the successful application of its moral, intellectual and physical powers to novel and difficult duties.

#### CUBA.

During the latter part of the past summer certain disorders arose in the island of Cuba between the two principal political factions. By the middle of September these amounted to a revolution which threatened the stability of the government, and under existing treaty the United States then intervened and established a provisional government.

To give the provisional governor the means necessary to enforce his authority and to protect life and property, marines and sailors were landed as a temporary measure. As soon as possible thereafter an expeditionary force of the Regular Army, aggregating some 5,600 men, was dispatched to Cuba.

A base of operations was established at Newport News, Va., where the expedition was mobilized, and a general officer was assigned to its command. Troops arrived in good time, were dispatched without confusion, and reached Habana in a very satisfactory condition. They landed without opposition and are still on the island.

In these operations the lack of water transportation was severely felt, as it was not deemed expedient to make definite contracts for vessels before the movement was decided upon. Had there been a small fleet of transports in reserve on the Atlantic coast the movement could have been accomplished much sooner.

#### GARRISON FOR ALASKA.

After careful consideration it was concluded that conditions in Alaska no longer required a garrison of a full regiment of infantry, but that eight companies would prove sufficient. This recommendation having been approved, when the Third Infantry was withdrawn it was replaced by the headquarters and two battalions of the Tenth Infantry, and the third battalion of the regiment was assigned to station in the Hawaiian Islands, where a small force of regular troops is maintained.

#### UTE INDIANS.

Following the opening up for settlement of a part of the public lands forming the Uintah Reservation, some of the Ute Indians became dissatisfied and left the reservation in midsummer, traveling generally in a northeasterly direction toward the reservations of the Sioux in South Dakota and the Northern Cheyennes in Montana.

Efforts were made by the Indian Department to induce these Indians to return to their allotted lands. A portion finally agreed to return, but the majority were obstinate and continued on their way across the State of Wyoming toward the reservations mentioned.

On a formal application for protection, made by the governor of Wyoming, the President directed that a suitable force be sent to the scene of the disturbance. The Indians, consisting of some 300 persons, about half of whom were well-armed men, were found to be moving down the Little Powder River. Sufficient troops were sent to the scene to intercept them. After negotiations with the chiefs, the entire body was conducted to Fort Meade, S. Dak., where they are now held awaiting orders as to their final disposition.

#### PHILIPPINE SCOUTS AND PORTO RICO REGIMENT.

The strength and duties of the Porto Rico Provisional Regiment of Infantry and of the Philippine Scouts have remained practically unchanged during the past year. The latter consists of 50 companies, 32 of which are organized into 8 battalions of 4 companies each; from the regular army 8 captains are detailed as majors to command the battalions and 15 first lieutenants as captains of companies. The services of these two auxiliary forces have been efficient and satisfactory.

#### DISTRIBUTION OF THE ARMY.

The following table, furnished by The Military Secretary's Department, discloses the geographical distribution of the Army October 15, 1906:

Geographical distribution.	Officers.	Enlisted men.	Total.
In the United States.....	2,463	38,100	40,563
In Alaska .....	42	800	842
In the Philippines:			
Regular Army.....	783	12,069	12,802
Philippine Scouts .....	116	5,013	5,129
In Porto Rico:			
Regular Army.....	4	26	30
Porto Rico Provisional Regiment .....	25	554	579
In Cuba .....	326	4,960	5,286
In Hawaii .....	18	232	250
Troops en route and officers at other foreign stations.....	123	1,649	1,772
Total .....	3,850	63,403	67,253

The foregoing table includes 3,177 enlisted men of the Hospital Corps, distributed as follows: United States, 1,892; Alaska, 50; Philippines, 850; Porto Rico, 21; Cuba, 336; Hawaii, 13; en route, 15.

#### PERSONNEL.

The enlisted personnel is excellent. As a rule the commissioned officers are industrious, earnest, and capable, but there is a class who find the hard and serious work of an officer's career in time of peace different from what they had anticipated. When lacking the excitement of active field work, they grow lax, careless, and indifferent. While the number of such officers is small, it is difficult to eliminate them under existing laws. Again, there is a class of officers too old for active work; higher rank has come to them so late in life that their physical force has to a great extent been expended and they are not fitted for its increased responsibilities; they are, generally speak-

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## REPORT OF THE MILITARY SECRETARY.

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Malabang; Troops F and G, Fourth Cavalry, from Malabang; Twenty-eighth Battery, Field Artillery, from Jolo; Provisional Company, Sixth Infantry, from Jolo; Troops I and K, Fourth Cavalry, from Jolo; detachment of constabulary from Zamboanga, and naval detachment from the U. S. S. *Pampanga*.

#### PUERTO PRINCESA.

First Lieut. Roy P. Stoneburn made several minor expeditions in connection with the outbreak of prisoners at Inhuit, Puerto Princesa, operations extending from September 20, 1905, to October 10, 1905.

#### EARTHQUAKE IN CALIFORNIA.

Early on the morning of April 18, 1906, a severe earthquake occurred in California. The damage to property and the loss of life resulting from the shock and the conflagration that followed it were greatest in the vicinity of San Francisco. Prompt and efficient aid in saving lives and property and preserving order was rendered at once by that part of the Army stationed at or near that city, and troops and officers were ordered to San Francisco from other parts of the country for relief work.

In addition to the officers of the staff and detailed and retired officers, 2 companies of engineers, 2 companies of the Hospital Corps, 3 companies of the Signal Corps, the First Cavalry, 7 troops of the Fourteenth Cavalry, 15 companies of coast artillery, 5 batteries of field artillery, 4 companies of the Tenth Infantry, 10 companies each of the Eleventh and Fourteenth Infantry, 8 companies of the Twentieth Infantry, the Twenty-second Infantry, and members of the Hospital Corps accompanying troops were engaged on relief duty at San Francisco. The returns show a total of 406 officers and 5,463 enlisted men engaged on that duty.

A comprehensive account of the relief operations conducted by the military authorities at San Francisco and other localities in California after the catastrophe is given in a special report of Maj. Gen. Adolphus W. Greely, United States Army, commanding the Pacific Division, and the documents accompanying that report. The report and accompanying documents are now in the hands of the printer and soon will be accessible to all who are interested in them.

#### MILITARY INTERVENTION IN CUBA.

In view of the insurrection in Cuba and the probable necessity for intervention by the United States, preliminary arrangements for sending troops to that island, including the preparation of the necessary orders, were made. A telegram directing that the expedition start for Cuba was received from the President at 10.55 p. m. on September 29, and within five minutes afterwards the necessary orders for the movement of the troops selected were in the hands of the telegraph operators.

A camp was established at Newport News, Va., to serve as a base of operations for the troops selected for duty in Cuba. The organizations sent to Newport News sailed for Habana on various dates between October 7 and October 11. These organizations were: One company of the Signal Corps, two companies of the Hospital Corps, headquarters and two squadrons each of the Eleventh and Fifteenth Cavalry, the Seventeenth and Eighteenth Batteries of Field Artillery,

and headquarters and two battalions each of the Eleventh, Seventeenth, Twenty-seventh, and Twenty-eighth Infantry. Two battalions of the Fifth Infantry and one battalion of engineers sailed from New York on October 2, and the Fourteenth Battery of Field Artillery sailed from Tampa, Fla., October 9.

It appears from the latest returns received that, up to the date of this report, the whole number of troops sent to Cuba, including officers and enlisted men of the staff corps and departments, was 332 officers and 5,064 enlisted men, a total of 5,394. The military forces in Cuba have been designated in War Department orders as "The Army of Cuban Pacification."

#### DESTITUTION AMONG ALASKAN INDIANS.

During the past four years the question of furnishing relief to destitute Indians in Alaska has been frequently before the War Department. The matter of relieving distress among these Indians by issuing to them army subsistence was first brought to the attention of the Department May 1, 1902, by the Commissary-General of the Army, in connection with a letter from Capt. F. Tuttle, commanding the revenue cutter *Bear*, recommending the issue of supplies to the destitute native children at missions.

Since that date many reports of destitution among the natives of Alaska, especially among the Copper River Indians, and requests for the aid of the military authorities, have been received from customs officials, missionaries, and others. A report on the conditions and needs of the natives of Alaska made by Lieut. G. T. Emmons, United States Navy, retired, was transmitted by the President to the Senate and House of Representatives January 19, 1905. That report is printed as Senate Document No. 106, Fifty-eighth Congress, third session.

Such measures as were practicable were adopted from time to time by the War Department to prevent suffering and actual starvation among the Alaskan Indians. A number of reports concerning the conditions of those Indians have been received from officers of the Army stationed in Alaska. It appears from those reports that, while the statements concerning the destitution of the Indians have been somewhat exaggerated, there is much destitution among them as a result of the increasing scarcity of game, the decrease in the run of salmon, and the laziness and improvidence of the Indians themselves.

In 1903 the War Department suggested to the Department of the Interior that an officer of the Army or a special agent of one of the other Departments be placed in charge of the Alaskan natives. In response to that letter the Acting Secretary of the Interior, on July 11, 1903, stated that Congress had made no provision for the establishment of Indian agencies in the District of Alaska, and that under existing law it would not be practicable for the Interior Department or any other Department of the Government to place a special agent in charge of the Alaskan natives.

Referring to a request of Lieutenant Emmons that the Commissioner of Indian Affairs send a reliable officer to Alaska to report on the conditions and needs of the Alaskan natives and to look into the question of the rations ordered to be sold to them, and the direction of the President that the request be complied with, the Acting Secretary of the Interior informed the Secretary of War, on July 13,