

districts, far away from the capital, in groups miles distant from each other. No one outside the rebel camp could ever ascertain the exact number of prisoners, which was kept secret. The strenuous efforts made by the Spaniards to secure their release are fully referred to in Chap. xxvi.

During this period of evacuation the natives in Balábac Island assassinated all the male Europeans resident there, the Spanish Governor, a lieutenant, and a doctor being among the victims. The European women were held in captivity for awhile, notwithstanding the peaceful endeavours to obtain their release, supported by the Datto Harun Narrasid, Sultan of Parágua and ex-Sultan of Sulu (*vide* p. 142). The place was then attacked by an armed force, without result, but eventually the natives allowed the women to be taken away.

Some of the Spanish soldiers and the civil servants concentrated in Zamboanga were carried direct to the Peninsula, *viá* the Straits of Balábac, in the steamers *Buenos Aires*, *Isla de Luzon*, and *Cachemir*, and from Manila many of them returned to their country in the s.s. *Leon XIII*. In conformity with the Treaty of Paris (Art. 5), little by little all the Spanish troops, temporarily prisoners of the United States in Manila, were repatriated.

The Philippine Republican Congress at Malolos had now (December 26, 1898) adjourned in great confusion. The deputies could not agree upon the terms of a Republican Constitution. They were already divided into two distinct parties, the Pacificos and the Irreconcilables. The latter were headed by a certain Apolinario Mabini (*vide* p. 546), a lawyer hitherto unknown, and a notorious opponent of Aguinaldo until he decided to take the field against the Americans. The Cabinet having resigned, Aguinaldo prudently left Malolos on a visit to Pedro A. Paterno, at Santa Ana, on the Pasig River.

At the end of the year 1898, after 327 years of sovereignty, all that remained to Spain of her once splendid Far Eastern colonial possessions were the Caroline, the Pelew, and the Ladrone Islands (*vide* p. 39), minus the Island of Guam. Under the treaty of peace, signed in Paris, the Americans became nominal owners of the evacuated territories, but they were only in real possession, by force of arms, of Cavite and Manila. The rest of the Archipelago, excepting Mindanao and the Sulu Sultanate, was virtually and forcibly held by the natives in revolt. At the close of 1898 the Americans and the rebels had become rival parties, and the differences between them foreboded either frightful bloodshed or the humiliation of the one or the other.

TREATY OF PEACE

concluded between the United States of America and Spain, signed in Paris on December 10, 1898, and ratified in Washington on February 6, 1899. The original documents (in duplicate) are drawn up in Spanish and in English respectively.

The English Text¹

Article 1.—Spain relinquishes all claim of sovereignty over and title to Cuba. And as the Island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

Article 2.—Spain cedes to the United States the Island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the Island of Guam in the Marianas or Ladrones.

Article 3.—Spain cedes to the United States the archipelago known as the Philippine Islands, and comprehending the islands lying within the following line: A line running from W. to E. along or near the 20th parallel of N. latitude, and through the middle of the navigable channel of Bachi, from the 118th to the 127th degree meridian of longitude E. of Greenwich, thence along the 127th degree meridian of longitude E. of Greenwich to the parallel of 4° 45' N. latitude, thence along the parallel of 4° 45' N. latitude to its intersection with the meridian of longitude 119° 35' E. of Greenwich, thence along the meridian of longitude 119° 35' E. of Greenwich to the parallel of latitude 7° 40' N., thence along the parallel of latitude of 7° 40' N. to its intersection with the 116th degree meridian of longitude E. of Greenwich, thence by a direct line to the intersection of the 10th degree parallel of N. latitude with the 118th degree meridian of longitude E. of Greenwich, and thence along the 118th degree meridian of longitude E. of Greenwich to the point of beginning.

The United States will pay to Spain the sum of \$20,000,000 within three months after the exchange of the ratifications of the present treaty.

Article 4.—The United States will, for the term of 10 years from the date of the exchange of the ratifications of the present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States.

Article 5.—The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manila by the American forces. The arms of the soldiers in question shall be restored to them.

Spain will, upon the exchange of the ratification of the present treaty, proceed to evacuate the Philippines, as well as the Island

¹ *Vide* Senate Document No. 62, Part I. of the 55th Congress, 3rd Session. Published by the Government Printing Office, Washington, 1899.

of Guam, on terms similiar to those agreed upon by the Commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies, under the Protocol of August 12, 1898, which is to continue in force till its provisions are completely executed.

The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two Governments. Stands of colours, uncaptured war-vessels, small arms, guns of all calibres, with their carriages and accessories, powder, ammunition, live-stock, and materials and supplies of all kinds, belonging to the land and naval forces of Spain in the Philippines and Guam, remain the property of Spain. Pieces of heavy ordnance, exclusive of field artillery, in the fortifications and coast defences, shall remain in their emplacements for the term of six months, to be reckoned from the exchange of ratifications of the treaty; and the United States may, in the meantime, purchase such material from Spain, if a satisfactory agreement between the two Governments on the subject shall be reached.

Article 6.—Spain will, upon the signature of the present treaty, release all prisoners of war, and all persons detained or imprisoned for political offences in connection with the insurrections in Cuba and the Philippines and the war with the United States.

Reciprocally, the United States will release all persons made prisoners of war by the American forces, and will undertake to obtain the release of all Spanish prisoners in the hands of the insurgents in Cuba and the Philippines.

The Government of the United States will at its own cost return to Spain and the Government of Spain will at its own cost return to the United States, Cuba, Porto Rico, and the Philippines, according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

Article 7.—The United States and Spain mutually relinquish all claims for indemnity, national and individual, of every kind, of either Government, or of its citizens or subjects, against the other Government, that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war.

The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article.

Article 8.—In conformity with the provisions of Articles 1, 2 and 3 of this treaty, Spain relinquishes in Cuba, and cedes in Porto Rico and other islands in the West Indies, in the Island of Guam, and in the Philippine Archipelago, all the buildings, wharves,

barracks, forts, structures, public highways and other immovable property which, in conformity with law, belong to the public domain, and as such belong to the Crown of Spain.

And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, cannot in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

The aforesaid relinquishment or cession, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the Peninsula. Where any document in such archives only in part relates to said sovereignty, a copy of such part will be furnished whenever it shall be requested. Like rules shall be reciprocally observed in favour of Spain in respect of documents in the archives of the islands above referred to.

In the aforesaid relinquishment or cession, as the case may be, are also included such rights as the Crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the islands above referred to, which relate to the said islands or the rights and property of their inhabitants. Such archives and records shall be carefully preserved, and private persons shall without distinction have the right to require, in accordance with law, authenticated copies of the contracts, wills and other instruments forming part of notarial protocols or files, or which may be contained in the executive or judicial archives, be the latter in Spain or in the islands aforesaid.

Article 9.—Spanish subjects, natives of the Peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory, or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

Article 10.—The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

Article 11.—The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing the same; and they shall have the right to appear before such courts, and to pursue the same course as citizens of the country to which the courts belong.

Article 12.—Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules: (1) Judgements rendered either in civil suits between private individuals, or in criminal matters, before the date mentioned, and with respect to which there is no recourse, or right of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgements shall be carried out: (2) Civil suits between private individuals which may on the date mentioned be undetermined shall be prosecuted to judgement before the court in which they may then be pending or in the court that may be substituted therefor: (3) Criminal actions pending on the date mentioned before the Supreme Court of Spain, against citizens of the territory which by this treaty ceases to be Spanish, shall continue under its jurisdiction until final judgement; but, such judgement having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

Article 13.—The rights of property secured by copyrights and patents acquired by Spaniards in the Island of Cuba and in Porto Rico, the Philippines and other ceded territories, at the time of the exchange of the ratifications of this treaty, shall continue to be respected. Spanish scientific, literary and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories, for the period of ten years, to be reckoned from the date of the exchange of the ratifications of this treaty.

Article 14.—Spain will have the power to establish Consular officers in the ports and places of the territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

Article 15.—The Government of each country will, for the term of ten years, accord to the merchant vessels of the other country the same treatment in respect of all port charges, including entrance and clearance dues, light dues, and tonnage duties, as it accords to its own merchant vessels, not engaged in the coastwise trade. This article may at any time be terminated on six months' notice given by either Government to the other.

Article 16.—It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof; but it will, upon the termination of such occupancy, advise any Government established in the Island to assume the same obligations.

Article 17.—The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen-Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Paris, the 10th day of December, in the year of our Lord 1898.

WILLIAM R. DAY.
CUSHMAN K. DAVIS.
WILLIAM P. FRYE.
GEO. GRAY.
WHITELAW REID.
EUGENIO MONTERO RIOS.
B. DE ABARZUZA.
J. DE GARNICA.
W. R. DE VILLA-URRUTIA.
RAFAEL CERERO.

Two years afterwards a supplementary treaty was made between the United States and Spain, whereby the Islands of Cagayán de Joló, Sibutu, and other islets not comprised in the demarcation set forth in the Treaty of Paris, were ceded to the United States for the sum of \$100,000 gold. These small islands had, apparently, been overlooked when the Treaty of Paris was concluded.