

MESSAGE BY MCKINLEY.

Executive Asks Discretionary Power to Intervene.

DOES NOT CALL CUBA FREE.

He Opposes Recognition of the Present Government.

EXHAUSTIVE REVIEW OF FACTS

Whole Perplexing Situation Is Laid Before Congress.

President Asks Authority to Take Measures for the Termination of Hostilities in Cuba - Would Use Army and Navy if Necessary - Only Hope of Relief from a Condition Which Can No Longer Be Endured Is Enforced Pacification of the Island - Maine Disaster Showed that Spain Cannot Protect Neutrals in Her Own Ports.

President McKinley on Monday sent his Cuban message to Congress. He favors intervention to terminate hostilities in the island and asks discretionary authority, but opposes recognition of present Cuban government. The full text of the message follows:

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

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

Ravaged by Fire and Sword.

Since the present revolution began in February, 1895, this country has seen the fertile domain at our threshold ravaged by fire and sword in the course of a struggle unequalled in the history of the island and rarely paralleled as to the number of the combatants and the bitterness of the contest by any revolution of modern times where a dependent people, striving to be free, have been opposed by the power of the sovereign state. Our people have held a once prosperous community reduced to comparative want, its commerce virtually paralyzed, its exceptional productiveness diminished, its fields laid waste, its mills in ruins and its people perishing by tens of thousands from hunger and destitution. We have found ourselves constrained, in the observance of that strict neutrality which our laws enjoin and which the law of nations commands, to police our own waters and watch our own seaports in prevention of any unlawful act in aid of the Cubans. Our trade has suffered, the capital invested by our citizens in Cuba has been largely lost and the temper and forbearance of our people have been sorely tried as to beget a perilous unrest among our own citizens, which has inevitably found its expression from time to time in the national legislature, so that issues wholly external to our own body politic engross attention and stand in the way of that close devotion to domestic advancement that becomes a self-contented commonwealth whose primal maxim has been the avoidance of all foreign entanglements. All this must needs awaken, and has, indeed, aroused the utmost concern on the part of this Government as well during my predecessor's term as my own.

Evils of Reconcentration.

In April, 1896, the evils from which our country suffered through the Cuban war became so onerous that my predecessor made an effort to bring about a peace through the mediation of this Government in any way that might tend to an honorable adjustment of the contest between Spain and her revolted colony on the basis of some effective scheme of self-government for Cuba under the flag and sovereignty of Spain. It failed through the refusal of the Spanish Government then in power to consider any form of mediation, or, indeed, any plan of settlement which did not begin with the actual submission of the insurgents to the mother country, and then only on such terms as Spain herself might see fit to grant. The war continued unabated. The resistance of the insurgents was in no wise diminished. The efforts of Spain were increased, both by the dispatch of fresh forces to Cuba and by the addition to the horrors of the strife of a new and inhuman phase, happily unprecedented in the modern history of civilized Christian peoples. The policy of devastation and concentration inaugurated by the captain general's bando of Oct. 21, 1896, in the province of Pinar del Rio, was thence extended to embrace all of the island which the power of the Spanish arms was able to reach by occupation or by military operations. The peasantry, including all

dwelling in the open agricultural interior, were driven into the garrison towns or isolated places held by the troops. The raising and movement of provisions of all kinds were interdicted. The fields were laid waste, dwellings unroofed and fired, mills destroyed, and, in short, everything that could desolate the land and render it unfit for human habitation or support was commanded by one or the other of the contending parties and executed by all the powers at their disposal.

Herded in the Towns.

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

As the scarcity of food increased with the devastation of the depopulated areas of production, destitution and want became misery and starvation. Month by month the death rate increased in an alarming ratio. By March, 1897, according to conservative estimates from official Spanish sources, the mortality among the reconcentrated from starvation and the disease thereto incident exceeded 50 per centum of their total number. No practical relief was accorded to the destitute. The overcrowded towns, already suffering from the general dearth, could give no aid. So-called zones of cultivation, established within the immediate area of effective military control about the cities and fortified camps, proved illusory as a remedy for the suffering. The unfortunate, being for the most part women and children, with aged and helpless men, enfeebled by disease and hunger, could not have tilled the soil without tools, seed or shelter for their own support or for the supply of the cities. Reconcentration, adopted avowedly as a war measure in order to cut off the resources of the insurgents, worked its predestined result. As I said in my message of last December, it was not civilized warfare; it was extermination. The only peace it could bestow was that of the wilderness and the grave.

Meanwhile the military situation in the island had undergone a noticeable change. The extraordinary activity that characterized the second year of the war, when the insurgents invaded even the hitherto unharmed fields of Pinar del Rio, and carried havoc and devastation up to the walls of the city of Havana itself, had relaxed into a dogged struggle in the central and eastern provinces. The Spanish arms regained a measure of control in Pinar del Rio and parts of Havana, but under the existing conditions of the rural country, without immediate improvement of their productive situation. Even that partially restricted the revolutionists held their own, and their submission, put forward by Spain as the essential and sole basis of peace, seemed as far distant as at the outset.

Promise of Autonomy.

In this state of affairs my administration found itself confronted with the grave problem of its duty. My message of last December reviewed the situation and detailed the steps taken with a view of relieving its acuteness and opening the way to some form of honorable settlement. The assassination of the prime minister, Canovas, led to a change of government in Spain. The former administration, pledged to subjugation without concession, gave place to that of a more liberal party, committed long in advance to a policy of reform involving the wider principle of home rule for Cuba and Puerto Rico. This overture of the new government, made through its new envoy, General Woodford, and looking to an immediate and effective amelioration of the condition of the island, although not accepted to the extent of admitted mediation in any shape, were met by assurances that home rule, in an advanced phase, would be forthwith offered to Cuba, without waiting for the war to end, and that more humane methods should therefore prevail in the conduct of hostilities. Incidentally with these declarations the new government of Spain continued and completed the policy already begun by its predecessor of testifying friendly regard for this nation by releasing American citizens held under one charge or another connected with the insurrection, so that by the end of November not a single person entitled in any way to our national protection remained in a Spanish prison.

While these negotiations were in progress the increasing destitution of the unfortunate reconcentrated and the alarming mortality among them claimed our nearest attention. The success which had attended the limited measure of relief among them by the judicious expenditure through the consular agencies of the money appropriated expressly for this purpose by the joint resolution approved May 24, 1897, prompted the humane extension of a similar scheme of aid to the great body of sufferers. A suggestion to this end was acquiesced in by the Spanish authorities.

On the 24th of December last I caused to be issued an appeal to the American people, inviting contributions in money or in kind for the succor of the starving sufferers in Cuba, following this on the 8th of January by a similar public announcement of the formation of a central Cuban relief committee, with headquarters in New York City, composed of three members representing the American National Red Cross and the religious and business elements of the community. The efforts of that committee have been untiring and accomplished much. Arrangements for free transportation to Cuba have greatly aided the charitable work. The president of the American Red Cross and representatives of other contributory organizations have generously visited Cuba and co-operated with the Consul General and the local authorities to make effective distribution of the relief collected through the efforts of the central committee. Nearly \$200,000 in money and supplies has already reached the sufferers, and more is forthcoming. The supplies are admitted duty free, and transportation to the interior has been arranged, so that the relief, at first necessarily confined to Havana and the larger cities, is now extended through most, if not all, of the towns where suffering exists. Thousands of lives have already been saved.

Reconcentration Order Revoked.

The necessity for a change in the condition of the reconcentrated is recognized by the Spanish government. Within a few days past the orders of General Weyler have been revoked, the reconcentrados are, it is said, to be permitted to return to their homes and aided to resume the self-supporting pursuits of peace; public works have been ordered to give them employment, and a sum of \$800,000 has been appropriated for their relief. The war in Cuba is of such a nature that, short of subjugation or extermination, a final military victory for either side seems impracticable. The alternative lies between the physical exhaustion of the one or the other party, or perhaps of both—a condition which in effect ended the years' war by the truce of Zanjon. The prospect of such a protraction and conclusion of the present strife is a continu-

gent hardly to be contemplated with equanimity by the civilized world, and least of all by the United States, affected and injured as we are deeply and intimately by its very existence.

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

In addition I asked the immediate revocation of the order of reconcentration, so as to permit the people to return to their farms and the needy to be relieved with provisions and supplies from the United States, co-operating with the Spanish authorities so as to afford full relief.

The reply of the Spanish cabinet was received on the night of the 31st ultimo. It offers, as the means to bring about peace in Cuba, to confide the preparation thereof to the insular department, insomuch as the concurrence of that body would be necessary to reach a final result, it being, however, understood, that the powers reserved by the constitution to the central government are not lessened or diminished. As the Cuban parliament does not meet until the 4th of May next, the Spanish government would not object, for its part, to accept at once a suspension of hostilities, if asked for by the insurgents from the general in chief, to whom it would pertain, in such case, to determine the duration and conditions of the armistice.

The propositions submitted by General Woodford and the reply of the Spanish government were both in the form of brief memoranda, the texts of which are before me, and are substantially in the language above given. The function of the Cuban parliament in the matter of "preparing" peace and the manner of its doing so are not expressed in the Spanish memorandum; but from General Woodford's explanatory reports of preliminary discussions preceding the final conference it is understood that the Spanish government stands ready to give the insular congress full powers to settle the terms of peace with the insurgents, whether by direct negotiation or indirectly by means of legislation does not appear.

With this last overture in the direction of immediate peace and its disappointing reception by Spain the executive was brought to the end of his effort.

Three Measures Left.

In my annual message of December last I said: "Of the untried measures three remain: Recognition of the insurgents as belligerents; recognition of the independence of Cuba; neutral intervention to end the war by imposing a rational compromise between the contestants and intervention in favor of one or the other party. I speak not of forcible annexation, for that cannot be thought of. That, by our code of morality, would be criminal aggression." Thereupon I reviewed these alternatives in the light of President Grant's measured words, uttered in 1875, when, after seven years of sanguinary, destructive and cruel barbarities in Cuba, he reached the conclusion that the recognition of the independence of Cuba was impracticable and undesirable; and that the recognition of belligerence was not warranted by the facts, according to the tests of public law. I commented especially upon the latter aspect of the question, pointing out the inconveniences and positive dangers of a recognition of belligerence which, while adding to the already onerous burdens of neutrality within our own jurisdiction, could not in any way extend our influence or effective offices in the territory of hostilities.

It has since occurred to change my view in this regard and I recognize as fully now as then that the issue of a proclamation of neutrality, by which process the so-called recognition of belligerence is published could, of itself and unattended by other action, accomplish the ends for which we are now laboring, the instant pacification of Cuba and the cessation of the misery that afflicts the island.

Jackson on Recognition.

Turning to the question of recognizing at this time the independence of the present insular government in Cuba, we find safe precedents in our history from an early date. They are well summed up in President Jackson's message to Congress Dec. 31, 1836, on the subject of the recognition of the independence of Texas. He said: "In all the relations of France, out of the revolution of the crews of Portugal and Spain, out of the separation of the American possessions or one of the great foreign powers, or out of the numerous and constantly recurring struggles for dominion in Spanish America, so wisely consistent with our just principle that we have, under the most critical circumstances, avoided all censure and encountered no other evil than that produced by a transient estrangement of good will in those against whom we have been by force of evidence compelled to decide."

"It has thus made known to the world that the United States is to avoid all interference with disputes which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party without reference to our particular interests and views as to the merits of the original controversy."

Case of Texas.

"It is true that with regard to Texas the 'high authority' of Mexico has been expelled, its invading army defeated, and the republic itself captured and all present power to control the newly-organized government annihilated within its confines. But, on the other hand, the appearance, at least, of an immense disparity of military force on the side of Texas. The Mexican republic under another executive, is rallying its forces under a new leader and waging a fresh invasion to recover its lost domain."

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

But, as the statement that the Spanish minister for foreign affairs assured him positively that Spain will do all that the highest honor and justice require in the matter of the Maine, the reply to the Spanish minister for foreign affairs also contained an expression of the readiness of Spain to submit to an arbitration of all the differences which can arise in this matter, which is subsequently explained by the note of the Spanish minister at Washington of the 10th inst., as follows: "As to the question of fact which springs from the diversity of views between the report of the American and Spanish boards, Spain proposes that the fact be ascertained by an impartial investigation by experts, who decide such questions in advance. To this I have made no reply."

They are evidence that the United States, in addition to the test imposed by public law as the condition of the recognition of independence by neutral state (to wit, that the revolted states shall "constitute in fact a body politic, having a government in substance as well as in name, possessing the elements of stability," and forming de facto, "if left to itself, a state among the nations, reasonably capable of discharging the duties of state") has imposed for its own guidance in dealing with cases like these the further condition that recognition of independent statehood is not due to a revolted dependency until the danger of being again subjugated by the parent state has entirely passed away. This extreme test was in fact applied in the case of Texas. The Congress to whom President Jackson referred the question as one "probably leading to war," and therefore a proper subject for a "previous understanding with that body by which war can alone be declared," by whom all its provisions for sustaining its perils must be furnished," left the matter of the recognition of Texas to the discretion of the executive, providing merely for the sending of a diplomatic agent when the President should be satisfied that the republic of Texas had become "an independent state."

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

Recognition Not Necessary.

I said in my message of December last: "It is to be seriously considered whether the Cuban insurrection possesses beyond dispute the attributes of an independent state which can demand the recognition of belligerence in its favor." The same requirement must certainly be no less seriously considered when the graver issue of recognition of independence is in question, for no less positive test can be applied to the greater act than to the lesser, while on the other hand, the influence of consequences in the struggle upon the internal policy of the recognizing state, which form important factors when the recognition of belligerence is concerned, are secondary if not rightly studied factors when the real question is whether the community claiming recognition is or is not independent beyond peradventure."

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

There remain the alternative forms of intervention to end the war, either as an impartial neutral, by imposing a rational compromise between the contestants or as the active ally of the one party or the other. As to the first, it is not to be forgotten that during the last few months the relations of the United States have virtually been one of friendly intervention in many ways, each not of itself conclusive, but all tending to an ultimate public result, just as honorable to all interests concerned. The spirit of our acts hitherto has been an earnest, unselfish desire for peace and prosperity in Cuba, untroubled by differences between us and Spain and unstained by the blood of American citizens.

Grounds for Intervention.

The forcible intervention of the United States is meant to stop the war, according to the large dictates of humanity and following many historical precedents where neighboring states have interfered to check the hopeless sacrifice of life by internecine conflicts beyond their borders, just as on national grounds. It involves, however, hostile constraint upon both the parties to the contest, and to enforce a truce as to guide the eventual settlement.

Grounds for such Intervention may be briefly summarized as follows:

1. In the course of humanity and to put an end to the barbarities, bloodshed and tortures and horrible miseries now existing there, and which the parties to the conflict are either unable or unwilling to stop or mitigate. It is no answer to say that in all another country, belonging to another nation, and is, therefore, none of our business. It is specially our duty, for it is right at our door.

2. We owe it to our citizens in Cuba to afford them that protection and indemnity for property which the present government there can or will afford, and to terminate the conditions that deprive them of legal protection.

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

Fourth—And which is of the utmost importance. The present condition of affairs in Cuba is a constant menace to our people, and entails upon this government an enormous expense. With such a conflict, waged for years in an island so near us, and with which our people have such trade and business relations, we cannot but feel that the lives and liberty of our citizens are in constant jeopardy and their property destroyed and themselves ruined—where our trading vessels are liable to seizure and are seized at our very door, by war ships of a foreign nation, the expeditions of filibustering that we are powerless to prevent altogether, and the irritating questions and antagonisms thus arising—all those, and others that I need not mention, with the resulting strained relations, are a constant menace to our peace and compel us to keep on a state of alerting with a nation with which we are at peace.

Destruction of the Maine.

These elements of danger and disorder already pointed out have been strikingly illustrated by a tragic event which has deeply and justly moved the American people. I have already by a special message to the report of the naval court of inquiry on the destruction of the battle ship Maine in the harbor of Havana during the night of the 15th of February. The destruction of that noble vessel has filled the national heart with indignant horror. Two hundred and fifty brave sailors and marines and two officers of our navy, representing the highest security of a friendly harbor, have been hurried to death—grief and want brought to their homes and sorrow to the nation. The very war of inquiry which it is needless to say, commands the unqualified confidence of the government, was unanimous in its conclusion that the destruction of the Maine was caused by an exterior explosion, that of a submarine mine. It did not assume to place the responsibility. That remains to be fixed.

In any event, the destruction of the Maine, by whatever exterior cause, is a patent and impressive proof of a state of things in Cuba that is intolerable. That condition is thus shown to be such that the Spanish government cannot assure safety and security to a vessel of the American navy in the harbor of Havana on a mission of peace and rightly felt.

Further referring in this connection to recent diplomatic correspondence, a dispatch from our minister to Spain of the 29th ultimo of the statement that the Spanish minister for foreign affairs assured him positively that Spain will do all that the highest honor and justice require in the matter of the Maine, the reply to the Spanish minister for foreign affairs also contained an expression of the readiness of Spain to submit to an arbitration of all the differences which can arise in this matter, which is subsequently explained by the note of the Spanish minister at Washington of the 10th inst., as follows: "As to the question of fact which springs from the diversity of views between the report of the American and Spanish boards, Spain proposes that the fact be ascertained by an impartial investigation by experts, who decide such questions in advance. To this I have made no reply."

The original copy of the Declaration of Independence in Jefferson's own handwriting has just been found among the archives of the American Philosophical Society in Philadelphia.

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