

ORDER NO. 100--SUPPRESSED PARAGRAPHS.

The republican papers are very busy these days calling attention to the famous order No. 100, issued April 24, 1863. They point out that this order was approved by Abraham Lincoln and, by publishing certain extracts, they seek to justify the cruel practices in the Philippines.

The extracts from order No. 100 which these republican papers reproduce put the best possible face on the situation from the republican standpoint. These extracts relate, however, to certain general rules. There are, in this same order, several explicit rules relating directly to the practices in the Philippines, which rules the republican organs take great care not to reproduce.

It will be interesting to read some of these suppressed paragraphs. Paragraph 4 of section 1 provides:

Martial law is simply military authority exercised in accordance with the laws and usages of war. Military oppression is not martial law; it is THE ABUSE OF THE POWER which that law confers. As martial law is executed by military force, it is incumbent upon those who administer it to be STRICTLY GUIDED BY THE PRINCIPLES OF JUSTICE, HONOR, AND HUMANITY—virtues adorning a soldier EVEN MORE THAN OTHER MEN, for the very reason that he possesses the power of his arms against the unarmed.

Paragraph 11 of section 1 provides:

The law of war does not only DISCLAIM ALL CRUELTY and bad faith concerning engagements concluded with the enemy during the war, but also the breaking of stipulations solemnly contracted by the belligerents in time of peace, and avowedly intended to remain in force in case of war between the contracting powers. It disclaims all extortions and other transactions for individual gain; ALL ACTS OF PRIVATE REVENGE, OR CONNIVANCE AT SUCH ACTS. Offenses to the contrary shall be severely punished, and especially so if committed by officers.

Paragraph 14 of section 1 provides:

Military necessity, as understood by modern civilized nations, consists in the necessity of those measures which are indispensable for securing the ends of the war, AND WHICH ARE LAWFUL according to the modern law and usages of war.

Paragraph 15 of section 1 provides:

Military necessity admits of all direct destruction of life or limb of ARMED enemies, and of other persons whose destruction is incidentally UNAVOIDABLE in the armed contests of the war. . . . Men who take up arms against one another in public war DO NOT CEASE ON THIS ACCOUNT TO BE MORAL BEINGS, RESPONSIBLE TO ONE ANOTHER AND TO GOD.

Paragraph 16 of section 1 provides:

Military necessity DOES NOT ADMIT OF CRUELTY—that is, THE INFLICTION OF SUFFERING for the sake of suffering OR FOR REVENGE, nor of maiming or wounding EXCEPT IN FIGHT, NOR OF TORTURE TO EXTORT CONFESSIONS. It does not admit of the use of poison in any way, nor of the wanton devastation of a district. It admits of deception, but disclaims acts of perfidy; and, in general, military necessity does not include any act of hostility which makes the return to peace UNNECESSARILY DIFFICULT.

Paragraph 22 of section 1 provides:

Nevertheless, as civilization has advanced during the last century, so has likewise steadily advanced, especially in war on land, the distinction between the private individual belonging to a hostile country and the hostile country itself, with its men in arms. The principle has been more and more acknowledged that THE UNARMED CITIZEN IS TO BE SPARED in person, property, and honor as much as the exigencies of war will admit.

Paragraph 23 of section 1 provides:

Private citizens are NO LONGER MURDERED, enslaved, or carried off to distant parts, and the inoffensive individual is as

LITTLE DISTURBED IN HIS PRIVATE RELATIONS as the commander of the hostile troops can afford to grant in the overruling demands of a vigorous war.

Paragraph 24 of section 1 provides:

The almost universal rule in remote times was, and continues to be with barbarous armies, that the private individual of the hostile country is destined to suffer every privation of liberty and protection, and every disruption of family ties. Protection was, and still is with uncivilized people, the exception.

Paragraph 25 of section 1 provides:

In modern regular wars of the Europeans, and their descendants in other portions of the globe, protection of the inoffensive citizen of the hostile country is the rule; privation and disturbance of private relations are the exceptions.

Paragraph 28 of section 1 provides:

Retaliation will, therefore, NEVER BE RESORTED TO AS A MEASURE OF MERE REVENGE, but only as a means of protective retribution, and moreover, cautiously and unavoidably; that is to say, retaliation shall only be resorted to AFTER CAREFUL INQUIRY into the real occurrence, and the character of the misdeeds that may demand retribution. UNJUST OR INCONSIDERATE RETALIATION removes the belligerents farther and farther from the mitigating rules of regular war, and by rapid steps leads them nearer to the internecine wars of savages.

Paragraph 37 of section 2 provides:

THE UNITED STATES ACKNOWLEDGE AND PROTECT, in hostile countries occupied by them, RELIGION AND MORALITY; strictly private property; THE PERSONS OF THE INHABITANTS, ESPECIALLY THOSE OF WOMEN; and the sacredness of domestic relations. Offenses to the contrary shall be rigorously punished. This rule does not interfere with the right of the victorious invader to tax the people or their property, to levy forced loans, to billet soldiers, or to appropriate property, especially houses, lands, boats or ships, and churches, for temporary and military uses.

Paragraph 44 of section 2 provides:

All wanton violence committed against persons in the invaded country, all destruction of property not commanded by the authorized officer, ALL ROBBERY, ALL PILLAGE OR SACKING, EVEN AFTER TAKING A PLACE BY MAIN FORCE, ALL RAPE, WOUNDING, MAIMING OR KILLING OF SUCH INHABITANTS, ARE PROHIBITED under the penalty of death, or such other severe punishment as may seem adequate for the gravity of the offense. A soldier, officer or private, in the act of committing such violence, and disobeying a superior ordering him to abstain from it, may be lawfully killed on the spot by such superior.

Paragraph 47 of section 2 provides:

Crimes punishable by all penal codes, such as ARSON, MURDER, MAIMING, ASSAULTS, highway robbery, theft, burglary, fraud, forgery, AND RAPE, if committed by an American soldier in a hostile country against its inhabitants, are not only punishable as at home, but in all cases in which death is not inflicted, the severer punishment shall be preferred.

Paragraph 56 of section 3 provides:

A prisoner of war is SUBJECT TO NO PUNISHMENT FOR BEING A PUBLIC ENEMY, NOR IS ANY REVENGE WREAKED UPON HIM BY THE INTENTIONAL INFLICTION OF ANY SUFFERING, OR DISGRACE, BY CRUEL IMPRISONMENT, WANT OF FOOD, BY MUTILATION, DEATH, OR ANY OTHER BARBARITY.

Paragraph 67 of section 3 provides:

The law of nations allows every sovereign government to make war upon another sovereign state, and, therefore, admits of no rules or laws different from those of regular warfare, regarding the treatment of prisoners of war, although they may belong to the army of a government which the captor may consider as a wanton and unjust assailant.

Paragraph 68 of section 3 provides:

Modern wars are not internecine wars, in which the killing of the enemy is the object. The destruction of the enemy in modern war, and, indeed, modern war itself, are means to obtain that object of the belligerent which lies beyond the war. Unnecessary or revengeful destruction of life is not lawful.

Paragraph 70 of section 3 provides:

The use of poison in any manner, be it poisoned wells, or food, or arms, is wholly excluded from modern warfare. He that uses it puts himself out of the pale of the law and usages of war.

Paragraph 71 of section 3 provides:

Whoever INTENTIONALLY INFLICTS ADDITIONAL WOUNDS ON AN ENEMY ALREADY WHOLLY DISABLED, OR KILLS SUCH AN ENEMY, or who orders or encourages soldiers to do so, shall suffer death, if duly convicted, whether he belongs to the army of the United States, or is an enemy captured after having committed his misdeed.

Paragraph 75 of section 3 provides:

Prisoners of war are subject to confinement or imprisonment such as may be deemed necessary on account of safety, but they are to be subjected TO NO OTHER INTENTIONAL SUFFERING OR INDIGNITY. The confinement and mode of treating a prisoner may be varied during his captivity according to the demands of safety.

Paragraph 76 of section 3 provides:

Prisoners of war shall be fed upon plain and wholesome food, whenever practicable, and treated with humanity. They may be required to work for the benefit of the captor's government, according to their rank and condition.

Paragraph 80 of section 3 provides:

HONORABLE MEN, WHEN CAPTURED, WILL ABSTAIN FROM GIVING TO THE ENEMY INFORMATION CONCERNING THEIR OWN ARMY, and the modern law of war permits no longer the use of any violence against prisoners in order to EXTORT THE DESIRED INFORMATION OR TO PUNISH THEM FOR HAVING GIVEN FALSE INFORMATION.

Lodge Admits Cruelty.

Senator Lodge has furnished the Philippine committee a list of "over three hundred officers and enlisted men in the United States army who have been tried by court-martial for offenses against natives (Filipinos)." This list was furnished as proof that the administration is doing its duty in protecting the Filipinos, but Senator Lodge unconsciously furnished conclusive proof of the charges of cruelty and misconduct brought against the army. With a list of three hundred prosecutions on file, who will say that the offenses have been "rare" and "occasional?" If three hundred have behaved so outrageously as to be tried, what is the total number of the offenses calculated to arouse resentment among the natives and stir up hatred against Americans? How long will it take us to overcome the harm already done and teach the natives to respect our Christian civilization?

Senator Lodge presided at the last republican national convention and defended colonialism on commercial grounds. He is one of the most conspicuous representatives of the bloody, brutal doctrine of imperialism which puts the dollar above the man and measures trade advantages against human rights and human life.

The Nashville American, which strenuously insists upon the retention of the Philippines at any cost, learnedly discusses "The Situation in Russia," but studiously refrains from discussing the situation in the Philippines. In view of the disclosures the American exhibits rare discrimination,