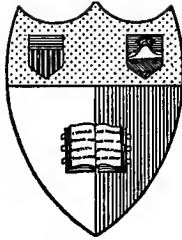


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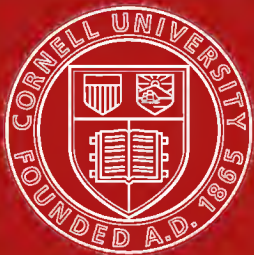
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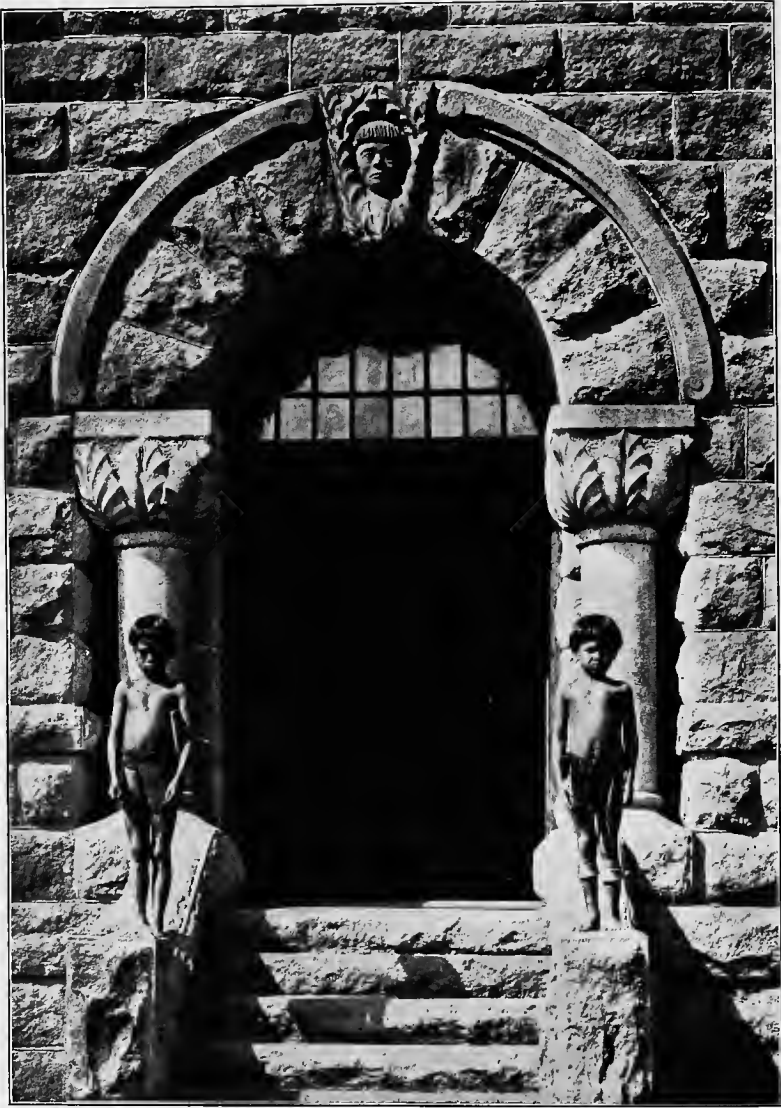
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ENTRANCE TO QUIANGAN SCHOOLHOUSE.

The stone for this building was quarried and cut to dimensions and the building was constructed by Ifugao boys and Mr. Alfred W. Hora, an American teacher. Two of the boys who did the work appear in the picture. (See also illustration facing page 48.)
Should it not be made a crime to sell or buy such children as chattels?

GOVERNMENT OF THE PHILIPPINE ISLANDS
DEPARTMENT OF THE INTERIOR

*Slavery and Peonage in the
Philippine Islands*

By

Dean C. Worcester

Secretary of the Interior



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A REPORT ON SLAVERY AND PEONAGE IN THE PHILIPPINE ISLANDS.¹

By DEAN C. WORCESTER, *Secretary of the Interior.*

BAGUIO, *April 30, 1913.*

SIR: Among the recommendations which I made in my annual report for the year ended June 30, 1912, was the following:

“That for the adequate protection of the non-Christian tribes a final and earnest effort be made to secure the concurrence of the Philippine Assembly in the passage for the territory under the jurisdiction of the Philippine Legislature of an Act identical with, or similar to, Act No. 2071, entitled ‘An Act prohibiting slavery, involuntary servitude, peonage, and the sale or purchase of human beings in the Mountain Province and the Provinces of

¹ This report was originally addressed to the Philippine Commission, under date of April 30, 1913, and was on that date delivered to the President of the Commission.

Upon my return from an inspection trip through the Mountain Province I found that there had been no meeting of the Commission and improved the opportunity to add to it additional information which I had meanwhile obtained, returning it to the President of the Commission on May 15. It was read to the Commission on May 17. The Commission thereupon passed the following resolution:

“Whereas the Act of Congress passed July 1, 1902, ‘temporarily providing for civil government of the Philippine Islands and for other purposes’ provides that ‘neither slavery nor involuntary servitude except as punishment for crime whereof the parties have been duly convicted shall exist in said Islands,’ and

“Whereas the Supreme Court of the Philippine Islands in the case of the U. S. *vs.* Cabanag (Vol. VIII, p. 64, Phil. Repts.), decided on March 16, 1907, decided that ‘there is no law applicable here either of the United States or of the Archipelago punishing slavery as a crime;’ and

“Whereas, in order to remedy this condition in accordance with the above-mentioned provisions of the said Act of Congress, the Philippine Commission in its exclusive legislative jurisdiction over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes passed Act No. 2071, and as a branch of the Philippine Legislature has in four successive sessions passed an act prohibiting and penalizing slavery, involuntary servitude, peonage, or the sale of human beings, and

“Whereas during each of said sessions the Assembly has failed to concur in the passage of such Act; now, therefore, be it

“*Resolved*, That the Honorable the Governor-General be requested to send to the Honorable the Secretary of War a copy of the proposed law entitled

Nueva Vizcaya and Agusan, and providing punishment therefor,' and that in the event of failure, the attention of Congress be called to this important matter to the end that it may pass adequate legislation if it deems such a course in the public interest."

On October 24, 1912, the Commission passed a bill entitled "An Act prohibiting slavery, involuntary servitude, peonage, and the sale or purchase of human beings in the Philippine Islands, and providing punishment therefor."

This bill was tabled by the Assembly on January 8, 1913. I therefore now recommend that this matter be brought to the attention of the Congress of the United States, and beg to present certain facts for your consideration.

The Act of Congress of July 1, 1902, the Philippine bill, "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," provides that—

"Neither slavery, nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said Islands."

For the purpose of this report I define slavery as the condition of a human being held as a chattel and compelled to render service for which he is not compensated. Food and clothing are necessarily furnished by the slave owner, and are not considered to constitute compensation.

Peonage I define as the condition of a debtor held by his creditor in a form of qualified servitude to work out a debt.

It is well known to all persons having any considerable familiarity with Philippine affairs that the Moros, or Moham-

'An Act prohibiting slavery, involuntary servitude, peonage, or the sale of human beings in the Philippine Islands' as passed by the Commission in the last session of the last Legislature, but which failed of passage in the Assembly, with the recommendation that a copy of the law be sent to Congress with the request that the necessary legislation be enacted to render fully effective the above-mentioned provisions of the Act of Congress of July 1, 1902."

I was subsequently requested by His Excellency the Governor-General to address the report to him rather than to the Commission, to the end that the Filipino members of that body might be spared the embarrassment which would otherwise result from the necessity of voting either for its acceptance or for its rejection, and I very willingly made the requested change.

I have taken advantage of the delay caused by printing it to bring it up to date (July 15, 1913) and now close it, although important evidence continues to come in.—D. C. W.

medan inhabitants of the southern Philippines, were formerly pirates and slave hunters, and that the custom of taking and keeping slaves prevailed among them at the time of the American occupation.

In a report dated August 25, 1902, General George W. Davis made the following statement relative to conditions in the Moro Province:

“With a people who have no conception of government that is not arbitrary and absolute; who hold human life as no more sacred than the life of an animal; who have become accustomed to acts of violence; who are constrained by fear from continuing the practice of piracy; who still carry on slave trade; who habitually raid the homes of mountain natives and enslave them; who habitually make slaves of their captives in war—even when of their own race; who not uncommonly make delivery of their own kindred as slaves in satisfaction of a debt for liquidation of which they have not the ready money; who habitually observe the precepts of the Korán which declares that female slaves must submit to their masters; it is useless to discuss a plan of government that is not based on physical force, might, and power.”

On September 24, 1903, the legislative council of the Moro Province passed an act entitled “An Act defining the crimes of slaveholding and slavehunting and prescribing the punishment therefor,”¹ which was promptly approved by the Philippine Commission and thus came to have the force and effect of law. Under it active measures were adopted to break up slavery in the Moro Province. They have resulted very successfully, and persons who have captured others to be held or sold as slaves, as well as persons who have actually sold, bought, or kept slaves, have been convicted and punished, yet even at this late day there are not lacking individuals who stoutly maintain that slavery does not exist, and never has existed, in the Philippines. It is hard to determine whether they are blindly ignorant or viciously untruthful.

For their confusion, and for the enlightenment of those who wish to know the truth, I have inserted in the appendix to this report (page 84) brief summaries of a number of typical cases, taken from the court records of the Moro Province.

It is perhaps not generally known that there are Moros in the southern third of Palawan, a province under the jurisdiction of the Philippine Legislature. When possible, they take and keep slaves.

¹ See appendix, p. 83.

Slave hunting and keeping still prevail, to a limited extent, among the Manobos and Mandayas in the Province of Agusan, in Mindanao, although quite strictly confined to remote forest fastnesses where effective governmental control has not as yet been established. The slave-hunting raids formerly carried on by these tribes are historic, and in themselves afford adequate ground for impugning the honesty of anyone, assuming to speak with knowledge of the facts, who declares that slavery has not existed in the Philippines.

It has been and still is a comparatively common thing for Filipinos living in territory adjacent to that inhabited by Negritos, Tagbanuas, Ilongots, or Ifugaos to obtain children or adults of these tribes by capture or by purchase and to hold them as slaves, selling them to others when it proves financially advantageous to do so. Such unfortunates are clearly chattels, and are often sold repeatedly.

A typical case is that of Lasso, a Tagbanua of Palawan. Lasso was bought from Patricio Tabastabas by Pastor Medina for ₱40. Pastor Medina sold him to Vicente Baculi for the same price. In 1912 Patricio Tabastabas bought him back again for ₱45. The following year he sold him to Benito Marcelo for ₱55. The Secretary-Treasurer of Palawan, who is also a justice of the peace, then gained knowledge of the case, which came before him because of trouble over this last payment. He sent the unfortunate Tagbanua back to the people of his tribe, and furnished me a statement of the facts. Other cases of slaves sold over and over again will be found in the records which follow.

Persons less rash than those of the class above referred to have made a qualified claim, to the effect that slavery does not exist, and never has existed, in the territory subject to the authority of the Philippine Legislature, as distinguished from the territory inhabited by Moros or other non-Christian tribes and subject to the legislative authority of the Philippine Commission only.

Sr. Manuel Quezon has loudly and recklessly voiced this claim in a letter to the editor of the New York Evening Post, from which I quote the following:

✓ "As a Filipino familiar with the facts in the case, I do not hesitate to qualify the letter of Secretary Worcester as being at once false and slanderous. It is false, because there does not exist slavery in the Philippines, or, at least, in that part of the country subject to the authority of the Philippine Assembly. It is slanderous because it presents the Philippine Assembly, by innuendo, if not openly, as a body which countenances slavery.

“Since there is not, and there never was, slavery in the territory inhabited by the Christian Filipinos, which is the part of the Islands subject to the legislative control of the Assembly, this House has refused to concur in the anti-slavery bill passed by the Philippine Commission.”

Palawan is one of the provinces “subject to the authority of the Philippine Assembly.” It is possible that Sr. Quezon is so ignorant of conditions there as to be unaware of the indisputable fact that the Moros of that province held slaves until compelled to give them up by a provincial government carried on under the *administrative* control of an American Secretary of the Interior, but if so, he has no rightful claim to be “a Filipino familiar with the facts.”

Isabela is a province “subject to the authority of the Philippine Assembly.” It differs from Palawan in that the large majority of its inhabitants are Christian Filipinos, and in the further fact that it is organized under the Provincial Government Act, and is therefore not in any way subject to the control of the Secretary of the Interior.

Slavery has been common in this province from the beginning of historic times, and it is common there to-day.

Its occurrence is admitted, and the conditions under which it prevails are described, in a report by a fellow countryman of Sr. Quezon, Sr. Francisco Dichoso, who was governor of the province when he made it on September 9, 1903.

The history of this interesting and important document is briefly as follows:

On April 28, 1903, the senior inspector of Constabulary in Isabela wired the first district chief of Constabulary, Manila, that:

“In this province a common practice to own slaves. These are bought by propietarios (property owners.—D. C. W.) from Igorrotes and Calingas who steal same in distant places from other tribes. Young boys and girls are bought at about 100 pesos, men 30 years old and old women cheaper. When bought, are generally christened and put to work on ranch or in house, and I think generally well-treated. In this town a number sold within last few months, and as reported to me, Governor has bought three. Shall I investigate further? Instructions desired.

(Signed.) SORENSON.”

Senior Inspector Sorenson was instructed to make a thorough investigation and a detailed report of the slave question. His report, which is of great interest, will be found in the appendix (page 85).

Governor Taft forwarded it to Governor Dichoso with the following letter:

“MANILA, P. I., August 8, 1903.

“Honorable FRANCISCO DICHOSO,
“Governor of Isabela, Ilagan.

“MY DEAR SIR: I have a report from your province stating that slavery exists there. The report goes into further details, as you will see by a copy which I enclose, and charges that you have a slave boy whom you purchased for a certain amount of money and that you are using him as a slave now. This, you know, is entirely contrary to the principles of the American Government and in the teeth of the Philippine Act, and if true, requires action on my part. I write that you may give me a frank statement of all the facts, and if slavery does prevail in your province, that we may be advised of it so that we may take radical steps to prevent its continuance.

“Respectfully,

(Signed.) “WILLIAM H. TAFT,
“Civil Governor.”

In a letter addressed to the Honorable the Executive Secretary, under date of September 9, 1903, Governor Dichoso replied to this communication. I here quote the relevant statements of his report:

“Having noted the contents of the official letter of the Honorable the Civil Governor in the Philippine Islands, Mr. W. H. Taft, dated the 8th of August, last, and of the copy of the report annexed thereto, which were received yesterday, I have the honor to respectfully reply that during the 21 years, more or less, that I have resided in this provincial capital (Ilagan), I have never thought of buying a member or a child of the race mentioned in the report, or of any other tribe, to serve as a slave in my household, not for the reason that this is prohibited and punished by section 484 and the following sections of the Spanish Code now in force, relative to the crime of kidnapping, but because it goes against my nature to treat in this manner a person who, like all human beings alive, is a likeness of the Highest. This I prove by means of the documents annexed hereto.

“I could easily have done so in time of the late Spanish Government, because I had good opportunities for doing so, and could have afforded to do so on account of my social position from that time on up to date, during which period I held successively the following public offices:

* * * * *

“This having been my status, and considering the power and the opportunity which I had for obtaining slaves, I might not have had only one, but enough to harvest the tobacco on my plantation, and the other crops which I had planted.

“Under the past Government there existed slaves in this province, but only a small number, for only wealthy families could afford to keep them. The same was the case in the neighboring

Provinces of Nueva Vizcaya and Cagayan; in the former they also used to have slaves of the Ifugao tribe, and in the latter Negritos, but very few of these.

"Since the glorious Star-Spangled Banner has been unfolded over the Province of Isabela, the slaves existing in the same, which had been purchased in that time and recently, are very well treated and seem to be members of the family, because the military authorities prohibited their masters from ill-treating them as they were wont to do. Since then many of the slaves have run away from their owners and have sought new masters who treat them well, as it happened in the case of an Igorrote woman of the Ifugao tribe, who was about 40 years of age, and who had been in the service of a lady in the pueblo of Echague for many years. When, in the year 1900, the military enforced the prohibition of ill-treatment of slaves in the said pueblo, this Igorrote woman ran away and presented herself at my house, I being at this time justice of the peace of this provincial capital, and asked me to employ her as servant. My principle not to have slaves preventing me from complying with her wishes, I directed her to apply to Mr. Andres Claraval and his wife, Filomena Salinas. They accepted her, and a short time afterwards they had her baptized and christened Magdalena Claraval. She is being treated like an adopted daughter by them.

"The gentlemen who are mentioned in the report as having purchased slaves really acquired Igorrotes by purchase and keep them in their house, some of them having died since. Some of these transactions were made in the Spanish times, as in the case of the late Mr. Policarpo Gangan, who bought 6 or 7 Ifugaos, which on his death he left to his children, Mr. Pedro Gangan, Mrs. Susana Gangan, Miss Maria Gangan, and Mrs. Rufina Gangan, and others who were made recently and secretly, while I was absent from town on official business in the pueblos of this province. Mr. Thomas Gollayan, the late provincial secretary, bought two Igorrotes while I was in Manila in December and January, last. They were well aware of the fact that I prosecuted kidnapping with tenacity, my object being to put a stop, if possible, to this abominable practice, which has since some time prevailed in the pueblos of this province. * * *

"In order to prove that I endeavored to make the proper investigation for the purpose of proving whether slavery really existed in this province, I have the honor to annex an affidavit by Agapito Telan, a resident of Ilagan, in which it appears that he sold Igorrotes of the Ifugao tribe to several residents of this town. I was unable to ascertain the numbers of Igorrotes of the same tribe sold by Modesto Sibal, Lorenzo Montevirgen, Lorenzo Montalvo, Andres Castro, and Cosme Ferrer, who are engaged in the same business as Agapito Telan, as it appears from the deposition of the latter, for the reason that these persons did not appear before me, although in 1902 I had on several occasions verbally requested the late municipal president, Mr. Pascual Paguirigan, to cause them to appear in an unofficial manner. I was not surprised that they did not appear before me, as Paguirigan was involved in the investigation, as it hap-

pened in the case of the aforesaid Agapito Telan, who appeared before me when I asked the acting municipal president to have him to do so.

"I was afraid to direct those persons to appear before me by means of written orders, because I had not document or complaint whereon to base them, as required by the procedure now in force, and feared that on account of the unlawful nature of the summons they might proceed against me for *coaccion*, and sue me besides for damages.

"According to my personal observation and to what I have seen in the other pueblos of this Province of Isabela, but principally in the provincial capital, the Igorrotes which are said to be slaves cannot be considered as such since the times of the military government, as they are considered and treated as members of the family of the chief of the household. Nevertheless, I am and shall continue to be inexorable in the prosecution of slavery, as it is a crime and should be prosecuted as such, in order to prevent at least that the persons engaged in this business commit this crime again.

"It is my humble opinion that an act should be passed to the end of eradicating this practice which has become general throughout the Cagayan Valley.¹ Otherwise, as I have seen in my continual efforts, the provincial authorities cannot do anything to check the evil, however they may try. It is necessary that some one should be made to feel the rigor of the act suggested and suffer the punishment designated by it.

"As a rule the inhabitants of this province already understand personal liberty and know that a person is entitled to go wherever he pleases, which liberty has given birth to the humane treatment of the fellow-men which now prevails.

"*Caciquism* is still existing in parts of this province, but I am confident that with the coöperation of sensible persons in my continuous efforts it will be completely eradicated, and personal liberty will reign supreme, as in every republic where the laws assure complete and real liberty, the liberty from slavery."

As supporting documents Governor Dichoso forwarded with his letter a number of statements from persons resident in the capital of Isabela to the effect that during the twenty-one years that he had lived there he had never purchased, intended to purchase, or kept in his house any Igorrote of the Ifugao or any other tribe.

In addition he forwarded a somewhat unique document in the form of a sworn statement by a slave dealer which is of such interest that I give it in its entirety:

"I, Agapito Telan, a resident of this provincial capital (Ilagan), certify: On the 19th of June, 1903, I was summoned by the provincial governor, Mr. Francisco Dichoso y Reyes, and when

¹ This valley includes the Provinces of Cagayan and Isabela.—D. C. W.

I was with him in the office of the provincial government, he and the secretary took my sworn deposition, as follows:

"Upon being asked to state the number of children of the infidel tribe of the Ifugaos sold by me to several residents of this provincial capital, the approximate age of these children, the names of the persons to whom they were sold, the number of children bought by these persons, the value of each of the said children, their sex, and the year, month, and day on which the said sales were made, deponent replied that in the year 1902, in the month of September, and on a day which he cannot remember, he sold to the late Policarpo Gangan two Ifugao boys, of the ages of 8 and 9, respectively, for the sum of 360 Mexican dollars, another boy, 9 years of age, he sold to Juan Dauag for the sum of 180 Mexican dollars, and another boy, 8 years of age, he sold to Seferino Malana for the sum of 160 Mexican dollars, the latter two being sold on the same month and year aforementioned, and in Ilagan also.

"In the year of 1903 the deponent sold a boy and a girl of the Ifugao tribe, who, judging by their physical development, were about 6 and 8 years old; the boy, six years of age, he sold to Pascual Paguirigan, late municipal president, and the girl to Doña Rufina Gangan, for the sum of 180 Mexican dollars each. This was in January, but deponent does not remember the day.

"In February he sold a boy and a girl of the same tribe, 8 years of age, the former to Cirilo Gantinao and the latter to Salvador Aggabao, for 180 Mexican dollars each. The purchasers are residents of this town.

"Upon being asked who are the other persons who, like deponent, are engaged in taking Ifugao children from the settlements of the infidels and then selling the same to whomever wants them, and that he state where they reside, deponent replied that the persons who are engaged in the same business as he, are Modesto Sibal, Lorenzo Monte-Virgen, and Lorenzo Montalvo, residents of the pueblo of Gamú, and Andres Castro and Cosme Ferrer, residents of this provincial capital.

"Upon being asked whether he knew if these persons are like him engaged in the purchase of minors and what was the number of children taken by each during the year of 1902 and 1903, and if so, to state to whom they were sold, and at what price the deponent replied that he is completely ignorant of the matter in regard to which information is requested, but that it was possible that they had taken more children, as they are living nearer to the settlements from which they are taken, and as they are able to make the trip three times to the defendant's once.

"Asked what methods they employ for the purpose of getting children from that tribe, deponent says that all they do is to enter into a contract with those whom they consider their dattos or chiefs, and who come down from the mountains with the children, which are purchased from them by the persons engaged in this trade.

"Asked to state the price of the children bought at the accustomed places for these transactions for the purpose of reselling

them, the deponent states that the children are sold at the same price at which they are purchased at that place.

"He having thus stated, the foregoing was read to him, and he agreed to it, signing it after the Provincial Governor, which I, the secretary appointed for this act, attest.

"FRANCISCO DICHOSO,
"Provincial Governor.

"AGAPITO TELAN,
"FERNANDO DOMINGO,
"Secretary appointed.

(Sgd.) "AGAPITO TELAN.

"Subscribed and sworn to before me this 10th day of September, 1903.

(Sgd.) "FRANCISCO TAUAD,
"Clerk of the Court, Ilagan."

Misamis is a regularly organized province, inhabited by Christian Filipinos.

In May, 1902, its Filipino governor, Sr. Manuel Corrales, was asked to report, and did report, on slavery in that province, under the following circumstances:

On May 2, 1902, General George W. Davis telegraphed the Adjutant-General, Manila:

"Following telegram respectfully repeated: 'Zamboanga, May 1, 1902, via Malabang, to Wade. Commanding Officer, Misamis, reports April 30, that Presidente notified him that he was going to send armed party to capture two Moro slaves which have escaped from their Filipino master whose names were not given. Says there are many Filipinos who own slaves. Presidente was told that the troops had nothing to do with civilian affairs. I have no doubt but that the Filipinos on the north coast here have many slaves. At Butuan I saw one in November that had been recently purchased.'"

Governor-General Wright referred a copy of this telegram to Governor Corrales with an indorsement:

"calling his attention to the within communication. Information is desired as to whether or not the within facts are true as stated, and also whether there are any persons held in involuntary servitude other than convicts within the province, and if so, that full particulars be given."

In reply Governor Corrales made the following report:

"CAGAYAN DE MINDANAO, MISAMIS, May 31, 1902.

"The Hon. CIVIL GOVERNOR OF THE PHILIPPINES.

"In answer to your request for information in regard to slave holding in the province, I will say that in old times it was often the custom to have slave-servants in some of the rich families

of certain pueblos; these slaves were generally well treated, to such an extent that they were considered members of the household, especially the female slaves. However, this only happened in pueblos which had frequent intercourse with the unchristian tribes, especially with the Moros, such as Iligan in the first place, on account of its proximity to the Laguna de Lanao, Misamis, whose south coast is entirely inhabited by Moros, Cagayan, Agusan, Tagoloan, and Balingasag, where the mountain tribes come to trade their native products, although on a smaller scale, on account of the character of the mountain tribes, which are more humane and more noble, if such a word can be applied to them. One still finds in these pueblos a few slave-servants, most of them acquired many years ago; but the custom is gradually being lost, thanks to the prohibitory laws which had been established by the Spanish government.

"Every time a slave in Cagayan or in the neighboring pueblos presented himself to the Spanish authorities or their representatives, and declared he wanted to be free, he was duly protected; and as they all knew it, the only ones to remain at the service of the families are those who have no means of subsistence; and they can leave their service whenever they wish to do so, without being pursued by their masters.

"At the present time, there are but few sales of slaves proceeding from the mountain tribes, which are now relatively civilized. In Iligan and Misamis, I have heard that such sales were more frequent, for two reasons: (1) the Moro race is more despotic and more numerous; (2) the weekly market in Iligan gives them an opportunity to carry on that sort of business, although they have to do it by stealth, on account of the watchfulness of the authorities.

"I will call your attention to the fact that the slaves proceeding from the Moro district constitute, in the Moro villages, an inferior social class, the slave family, whose origin is due to the prisoners taken by the Dattos on their expeditions; when they are transferred to the Christians in Iligan or Misamis, because their masters wish to make money, or are hard pressed by the famines which are so frequent in the region of the Lanao, their condition is considerably improved by the good treatment and the better and more abundant food which they obtain in their new situation, by the mere fact that they live with a more civilized people.

"Those who come from the mountain tribes are not born slaves; with few exceptions, the chiefs and principal men of these tribes do not own slaves which they use for their service or for agricultural work, as the Moros do. Slaves are generally obtained in the following way:

"It happens that a chief with bellicose and sanguinary instincts, who leads a nomad life and does not belong to the peaceful class which is given to farm life, organizes a gang of men of his sort, makes incursions in the wildest parts of the woods and raids the lone huts inhabited by savage and nomad families;

he kills by treachery the grown up people and carries off the children, which he can easily master; he then sells them to the peaceful farm dwellers, who sell them in their turn to the Christian pueblos.

"As I have already said, such cases are happily rare. In Iligan and Misamis, which are far from the capital of the province, and therefore from the Court and the provincial authorities, the slaves have had less opportunity to claim their rights, and it is not astonishing that neither the slaves nor their masters have a true notion of what is meant by individual liberty, although the former are at least sure of their lives since they left the jurisdiction of the Moros, at whose absolute mercy they were, and are much better treated among the Christians.

"I intend taking all necessary measures within my jurisdiction in order to put an end to such a hateful trade, and wait for any further instructions which you may deem it convenient to give me.

"I can give you no information in regard to Butuan, as there are no communications between the two provinces, although they are neighbors.

"Very respectfully,

"MANUEL CORRALES, *Governor.*"

Ambos Camarines is a regularly organized province subject to the control of the Philippine Assembly, yet since the American occupation Filipino children have been sold there into slavery for deportation to China.

The essential facts were reported by the Filipino governor and the Filipino fiscal of the province. The former official sent the following telegram:

"NUEVA CACERES, *November 13, 1903.*

"CIVIL GOVERNOR, *Manila.*

"Fiscal Contreras has just discovered trade in children, sold by their parents or relatives to the Chinese under the pretense that they are too poor to support them. Seven children were gathered up to-day, and the Chinese produced documents stating that the children had been adopted. According to the Fiscal this is illegal, as they had no judicial authorization, and the truth is that those children were sold. This is a new social phenomena (sic) which has appeared in this province and which calls for severe punishment; but I believe there is no law for the suppression of this crime, and desire that an act in the premises be immediately passed. It seems that there are more children in the same situation, and the Fiscal is conducting an investigation for the purpose of discovering other cases of this kind. Three boys by the names of Mamerto and Marcos Quilon and Juan Chiquitin, accompanied by the Chinese Colin and Dycheico, embarked on the S. S. 'Montañas,' which sailed here on the 11th instant for Manila, for China. I trust that the necessary orders be given for the arrest of the said Chinese and boys, and that

they be remitted to this province and placed at the disposal of the Fiscal.

“PIMENTEL, *Governor.*”

I have been informed that it was the custom of the Chinese of this province, who bought children to send to China, promptly to give them a Chinese haircut and dress them in Chinese costumes.

It is especially interesting to note that these Chinese claimed that they were purchasing children for adoption, this being the defense often given by Filipinos who purchase Negrito children to be held as slaves.

The provincial fiscal of Ambos Camarines telegraphed the Attorney-General at Manila relative to this case as follows:

“NUEVA CACERES, *November 13, 1903.*

“Hon. WILFLEY, *Attorney-General, Manila.*

“I have just discovered traffic in children which are sold to Chinamen by parents and relatives alleging poverty and impossibility to maintain them. Seven boys were recovered to-day from the Chinamen on my orders and are lodged in the municipal building. I have summoned relatives to commence investigation and file the case before the court. I believe no law exists to repress this scandalous case; I request your support for immediate approval as it is a social phenomena (sic) recently appeared in this province, under the pretext of misery. Chinamen are arrested; I await resolution.

“CONTRERAS, *Fiscal.*”

The papers were referred to the Civil Governor by the Attorney-General with a statement to the effect that “the Penal Code does not apply to this case.” They were referred by the Civil Governor to the Secretary of Commerce and Police for consideration in connection with the Criminal Code and on November 16, 1903, the Attorney-General telegraphed the fiscal of Ambos Camarines as follows:

“PROVINCIAL FISCAL, *Nueva Caceres.*

“No law punishing traffic in children. I advise that Chinamen be released and children restored to their parents. Give Chinamen and parents to understand that the contract is illegal, is immoral, and cannot be enforced.

“ATTORNEY-GENERAL.”

It appears, however, that an effort was later made to reach some of the Chinamen under the Penal Code, for on December 18, 1903, the prosecuting attorney indorsed the papers as follows:

“The three Chinamen, Dy Bocco, Dy Cico, and Dy Liaoco, within named, have been apprehended and charged in the Court

of First Instance with the crime of illegal detention, and have been released on bail pending transfer of cause and defendants to Camarines for trial.

"The three little boys, Memerto and Marcus Quilon and Juan Chiquitin were taken into custody at the same time and have since been kept in the family of an operative of the Secret Service Bureau of the city of Manila. These little boys are entirely ignorant of the transaction referred to in Gov. Pimentel's telegram and are of such tender age as to be useless as witnesses. The Secret Service Bureau have asked for instructions as to what disposition is to be made of these three boys; such instructions this office is unable to give. The return of the boys to Camarines may result in their being again turned over to the same Chinamen or resold to others, as it appears that they have no near relatives living.

"It is respectfully requested that this paper be returned with an expression of the wishes of the Honorable the Civil Governor.

(Sgd.) "CHAS. H. SMITH,
"Prosecuting Attorney."

By direction of the Civil Governor the three boys were returned to their homes. Their subsequent fate is unknown to me.

Romblon is a subprovince of Capiz, a regularly organized province, inhabited almost exclusively by Christian Filipinos. It has a Filipino lieutenant-governor. On October 9, 1909, he telegraphed the Executive Secretary as follows:

"ROMBLON, *October 9, 1909.*

"EXSEC, *Manila.*

"Retel yesterday Vicente Montiel representing himself agent for Society Manila seeks to secure one hundred students from Romblon. By claiming to represent Government leads pupils to believe they are securing scholarships. Guarantees expenses, and schooling. Pupils are to have work as clerks and to receive income for same. About seventy Romblon school boys aged ten to eighteen are said to have signed agreement to sail on first boat. Parents and guardians not consulted. Some have no knowledge of proposition. Is the act of Montiel enticing children from school unlawful?

(Sgd.) "SANZ."

In a letter dated July 5, 1913, Governor Sanz has made the following statements to me concerning this extraordinary effort of this man to take seventy-odd Filipino school children from a subprovincial capital, without the knowledge or consent of their parents, and, as it was later proved that he had actually succeeded in doing in a number of cases, to sell them outright in

remote towns or to turn them over as "servants" at such salaries as ₱4.00 per month:

THE PROVINCIAL GOVERNMENT OF CAPIZ,
SUBPROVINCE OF ROMBLON,
ROMBLON, P. I.

"OFFICE OF THE LIEUTENANT-GOVERNOR,
"Romblon, July 5, 1913.

"SIR: In view of your verbal request, I have the honor to submit the following report on the case of abduction of minors that has occurred in this subprovince of Romblon:

"About the beginning of the month of October, 1909, the undersigned lieutenant-governor was advised by the head-teacher of the schools of this subprovince that one Vicente Montiel, acting under orders from one Amando Nicandro, had recruited a considerable number of boys of the provincial and municipal schools of Romblon, numbering about seventy, all minors, who had been enrolled to be taken to Manila under the deceitful promise that said Amando Nicandro would place them in a school and that besides studying, they would earn wages.

"In view of this deceitful offer the boys, lacking experience in such matters and being desirous of thus securing an education, were ready and willing to follow said Amando Nicandro, without the previous knowledge and consent of their parents.

"Certain men and women, the fathers and mothers of the boys thus inveigled, also came to this office and requested the authorities to find their boys who had absented themselves from their homes without their knowledge, and only after the investigations did they learn that their boys had been enticed away in such a despicable manner by the aforesaid Amando Nicandro.

* * * * *

"I must further inform you that it appears from the investigation made in this matter and from data acquired by me, that Amando Nicandro and Ponciano Abanilla made it a business to look for men and women to work at Pagsanjan, and also to trade in boys of minor age, as happened in the case of the boys Aniceto Maaba, Aniceto Malasa, Emeterio Músico, and Emeterio Saldivar, whom Amando Nicandro left in certain houses in Manila and Capiz, where said boys were to work as servants, and for each of the said boys Nicandro received the sum of ₱10.00 from the employers with whom he left the boys.

"These boys left their homes without the knowledge and consent of their fathers and mothers, and in order to find them and make them return to their parents, on the latter's request, the undersigned had to make use of the services of the Manila Secret Service and of the Constabulary inspector at Capiz, except in the case of a boy by the name of Aniceto Maaba, who has not yet returned to his home, nor are his whereabouts known.

"Thanks to the timely notice given to the undersigned lieu-

tenant-governor, it was possible to prevent the other boys who had been enlisted, as above described, from absenting themselves."

The men concerned in this transaction were arrested and tried, and the principal, who had been working under an assumed name, was convicted of *abduction of minors*. He appealed and lost. Governor Sanz worked for months to get back the children whom this "chief of an employment bureau" had actually succeeded in abducting from Romblon. Some of them were found in northern Panay, others in central Luzon. The following is the statement of one of them:

"Statement of Aniceto Malaza, taken in the Office of the Secret Service Bureau at 3.45 p. m., January 11, 1910, in the presence of Detectives Hartpence and Alvarez; interpreted by Hartpence.

"Q. What is your name, age, residence and occupation?—A. Aniceto Malaza; 16 years; 238 Calle Solidad, Tondo; servant; I was born in Romblon, Romblon; my father's name is Leon Malaza; he is a farmer and resides in the outskirts of Romblon, owning some land there; my mother, Maria Mores, is dead; I have two brothers and three sisters, Juan, Luis, Petrona, Isidora, and Lucena, aged 21, 18, 34, 28, and 24, respectively.

"Q. Are you willing to make a voluntary statement regarding the shipment of sixteen native boys from Romblon to Manila on the S. S. *Ramoncito* during the month of October, 1909?—A. Yes, sir. I have been in Manila since October 3, 1909; I left Romblon and embarked on the S. S. *Ramoncito* October 1st; Vicente Montiel, a storekeeper in Romblon, asked me if I wished to go to Manila and go to school at the Government's expense. I told him yes. He took me to his house in Romblon, where I met a number of other boys. I stayed there about two hours when Ponciano Abanillo came and took me and eleven other boys from Montiel's house aboard the S. S. *Ramoncito*. We asked him where he was going to take us and he answered that we would be educated by the Government in Manila.

"Q. Do you know the names of the other boys who came with you to Manila?—A. Vicente Zobal, Higinio Vidal, and Aniceto Maaba; I don't remember the others.

"Q. Did your parents know you were coming to Manila?—A. No, sir.

"Q. Do you know whether or not Vicente Montiel received any money for these eleven other boys?—A. No, sir.

"Q. Did Ponciano Abanillo receive any money for them?—A. I don't know. I was informed by my mistress, Escolastica Real, that she gave him ₱10.00 for me. I arrived in Manila on October 3d, and was taken by Ponciano Abanillo to the house of Antonina Samañego, No. 151 Calle Elcano, in company with fourteen other boys. I worked one month there. The other boys were taken by Abanillo the next morning to Laguna Province.

“Q. How much salary did you receive from Antonina Samaniego?—A. I received my salary, ₱4.00 per month, from Escolastica Real, who was living in the same house as E. Real at that time. She moved on the 15th of November, 1909, to No. 238 Calle Solidar.

“Q. Do you know Lazaro Villanueva?—A. No, sir.

“Q. Do you know Amado Nicandro?—A. No, sir.

“Q. Do you wish to return to Romblon?—A. Yes, sir.

“Q. Did you come to Manila of your own free will, or were you compelled to do so?—A. I told them I wanted to come to Manila, because they informed me I could go to school in Manila.

“Q. Have you any relatives in Manila?—A. No, sir.

“Q. Do you know where any of the other boys who came to Manila with you, are living at the present time?—A. No, sir.

“Q. Is all that you have stated to me the truth?—A. Yes, sir.”

I quote the following extract from the decision of the Supreme Court in this case:

“At Romblon, Vicente Montiel was the agent whom Nicandro used for persuading and attracting those who wished to leave for Manila, the boys being told that they were to go to Manila to study at the expense of the Government. This work of propaganda and seduction produced the effect that many boys left the paternal home without the consent of their parents who, alarmed at the disappearance of their children, complained to the administrative authorities. Equally great was the panic in the public schools, where the teachers noticed within the brief space of a week the exodus of a considerable number of pupils and found it necessary to adopt measures in order to remedy the evil.”

The significant thing about this case is that the offender, who had previously taken a number of school children away from Romblon under promise of free education in Manila at Government expense, and sold them or hired them out, had found the market so good that he was anxious to take seventy more in one lot.

I may add, as illustrating the difficulties I have encountered in getting even the facts which are already of official record in regard to slavery and peonage, that although there were records concerning this case both in the files of the Executive Bureau and in the office of the Philippine Constabulary, and although I had long since requested that all records of this sort be furnished me, and had been assured that I had been furnished all that could be found, I by pure accident learned of this case from Governor Sanz himself on July 4, 1913, and am indebted to him for certified copies of the numerous documents pertaining to it.

A responsible employee of the Bureau of Customs made the

following report to the Insular Collector of Customs on July 1, 1913:

"In connection with recent statements in the press, relative to the existence of slavery in this country, I have to report an incident which occurred several days ago in connection with the investigation of a Chinese merchant from Cadiz Nuevo, Occ. Negros, who was about to embark for China and sought to establish his status as a merchant. His name is Luiong Co and he is a partner in a firm doing business under the name of Se Quio Co and Company.

"In the course of the examination the information was developed that he owned a girl 17 years old, named Miguela, having purchased her from his partner Se Quio Co three years ago for the sum of ₱20.00. According to his testimony, Se Quio Co had been made a present of the girl by her sister.

"The ownership of household slaves who are regularly bought and sold is so common in Negros, so I am informed, that it excites no special interest among foreigners who are familiar with such forms of servitude. I am led to believe, however, that in the case of Chinese slave owners the ulterior motive in many instances, especially if the slaves are females, is to take them to China where they are sold as servants to wealthy Chinese. This belief is something more than a theory, as evidenced by a talk yesterday with a very prominent English-speaking Chinaman who went so far as to acknowledge that they were taken to China for servants in Chinese families. In the case under investigation, I conferred with the local director of Constabulary and referred it to him for investigation.

"Immediately following the investigation of Luiong Co, which was more or less published in the Chinese community due to the fact that I personally took a hand in the proceedings, another Chinaman—Dy Ynsi—a laborer, appeared before the Immigration Inspector and took out return papers for himself and his son, Ceferino, age 10 years. He made no mention whatsoever of two Filipino girls Caridad Dy, age 17, and Filomena Dy, age 4. An examination of the *Taming* passenger manifest, after departure, showed that he embarked with two sons and the two Filipino girls mentioned above.

"This matter is brought to your attention in view of my suspicions, which seem reasonable, that young Filipino girls are being taken to China for other than legitimate purposes. The fact that female children are commonly bought and sold in China is corroborative evidence that a Chinese laborer who leaves this country with two Filipino girls, whom he has failed to mention in the investigation by the Immigration Inspector, probably intends to dispose of them upon arrival in China.

"The Chinaman Luiong Co made no pretense of concealing his ownership of the girl Miguela, as will be seen by copy of evidence taken by the undersigned, transmitted herewith. In the case of

Dy Ynsi his failure to mention the two girls was probably due to the investigation of the other case.

"Instructions have been given which will increase the vigilance at this port."

Governor Dichoso, of Isabela, was succeeded by George Curry, whose record as a "rough rider" in Cuba, a captain of United States volunteer troops in the Philippines, and as governor of New Mexico, is well known.

On November 30, 1904, Governor Curry made the following statement in a letter to Governor-General Luke E. Wright:

"There is one other matter which developed the last term of court, and that is, that, although there is an act of Congress prohibiting slavery in the Philippine Islands, there has been no legislation by the Commission providing a penalty therefor.

"I have, in many cases, however, taken children away from people who were holding them as slaves and had the parties arrested, but they were released by the court, as there was no law on the subject. However, the slaves in every case were delivered to somebody who would provide for them, but I would recommend that the Commission pass a law providing penalties for the sale and purchase of slaves. I think, however, that we have the matter checked temporarily, at least, in this province. The different wild tribes have been told that they would be punished for selling as well as for buying slaves, and we have had it published generally in all of the towns that any one caught purchasing slaves would be punished severely and the slaves taken away from them.

"Of course, in many cases where children have grown up practically as members of the family they live with and have been well treated and don't even know their fathers and mothers, it is not possible, or is it advisable even if it were possible, to take any action.

"I presume Judge McCabe has called the attention of the Commission to this fact."

Governor Curry temporarily checked slave dealing in Isabela by a bold bluff. It did not stay checked under his Filipino successors.

I have not the slightest doubt that Sr. Quezon is, as he says, "a Filipino familiar with the facts." I trust that he may be authoritatively asked why, knowing them, he made the recklessly false statement that "there is not, and never was, slavery in the territory inhabited by the Christian Filipinos, which is the part of the Islands subject to the legislative control of the Assembly."

The question will, with propriety, be asked, What was done to remedy the conditions revealed by the reports above referred to?

Promptly upon the receipt of Senior Inspector Sorenson's report relative to slavery in Isabela Governor Taft indorsed the papers as follows:

[Fifth indorsement.]

"OFFICE OF THE CIVIL GOVERNOR,
"Manila, August 13, 1903.

"The Senior Inspector of Constabulary in the Province of Isabela reports that there is quite a slave trade in the Cagayan Valley. The report of Sorenson, the Inspector, is submitted to the Commission and I suggested a reference to Commissioner Wright in order that he may include in the Criminal Code some clauses which will enable us to reach this abuse.

(Sgd.) "WM. H. TAFT,
"Civil Governor."

The report was, by direction of the Commission, referred to Commissioner Wright as suggested by Governor Taft for consideration in connection with a proposed new Criminal Code which was being prepared, under his general supervision, for enactment. An immense amount of work was necessary on this code, and it was never completed and enacted. Various matters needing attention have since been reached through the medium of special laws, and it is obvious that it was intended to pursue this course in this instance as is shown by the fact that Governor Dichoso's reply was forwarded to General Wright on October 19, 1903, with the following indorsement:

[First indorsement.]

"EXECUTIVE BUREAU,
"Manila, October 19, 1903.

"Respectfully referred to the Secretary of Commerce and Police, for his information and consideration in connection with the proposed Act denouncing slavery and kidnapping and kindred offenses as crimes.

(Sgd.) "WM. H. TAFT,
"Civil Governor."

Why such an Act was not drafted and passed I do not know. I was then absent on leave and did not even learn of the existence of any of the above-quoted documents at the time of their receipt and reference. I then entertained the belief, still held by some Americans, that both slavery and the sale and purchase of human beings could be adequately punished under certain provisions of the Spanish Penal Code, which were then, and still are, in effect.

My personal attention was forcibly drawn to this matter when I first inspected Nueva Vizcaya in 1905. The territory occupied

by the Ifugaos, since separated as a subprovince of the Mountain Province, was then a part of Nueva Vizcaya, which had been organized as a province under a special act and was, in a way, subject to my executive control.

Its governor, Louis G. Knight, called my attention to the fact that Ifugao children were frequently enslaved by Filipinos of Nueva Vizcaya and Isabela. I asked him to get specific data so that we might prosecute the offenders. He soon sent to the Executive Secretary a report which, because of its importance, I insert in its entirety:

“BAYOMBONG, P. I., *August 28, 1905.*

“The EXECUTIVE SECRETARY, *Manila, P. I.*

“SIR: I have the honor to make the following brief report of the details of certain recent cases of buying and selling of Igorotes as servants or slaves in this province and the adjoining province of Isabela and to recommend that legislation be enacted providing adequate punishment for any offenses of the kind that may occur in future.

“I can find nothing whatever in the Penal Code defining or punishing as a crime the buying or selling of human beings.

“I recommend that this crime be defined and punished in the proposed new Penal Code and that it be made a crime for the parents of children of tender years to part with the custody of their children without an order of the Court of First Instance providing for the child's proper maintenance and education by the party adopting him and absolutely forbidding that any consideration pass between the child's natural guardians and the persons wishing to adopt it, and that the law cover other points that do not now seem to be adequately covered that will be suggested by the details of the following cases.

“In the early part of this year an Igorote boy about fourteen years of age was taken by force or surprise from Sapao district, this province, and delivered by his captors, who were Igorotes of Sapao, to certain Igorotes of Anao district, who accompanied by other Igorotes from Quiangan in an armed band took the boy by Igorote trails across the mountains into Isabela and sold him to a woman of Echague, that Province, for ₱140. He was held there by her as a slave until a few days ago, being told that his mistress had arranged that the Americans should shoot and kill him if he attempted to escape. Arrests have been made of five of the guilty parties by the authorities of the respective provinces on the charge of illegal detention and the others will be apprehended shortly.

“In February of the present year an Igorote man of Anao district, this province, turned over to an Igorote woman, Antonia, of Quiangan, a stolen girl 7 to 9 years of age to be taken to a christian town and sold for ₱100.

“The child was sold by the woman in Solano to Tomás Cabanag, a well to do Christian native of Cauayan, Isabela, for

₱100, who took the child to his home in Cauayan there selling her to Mariano Lopez a wealthy resident of Cauayan, for ₱200, making ₱100 by the transaction.

"Antonia spent ₱20 of the ₱100 she had received for this girl and tendered the remaining ₱80 to the Igorrote from whom she had received the girl.

"The Igorrote refused the ₱80 demanding his ₱100, whereupon the arrangement was made that with the ₱80 another child should be bought and sold at an advance so that she could pay the ₱100 which she admitted owing the Igorrote from whom she received the girl.

"She learned from other Igorrotes that a stolen boy was for sale in the rancheria of Cababuyan in the district of that name. She went to Cababuyan, purchased the boy for ₱80. The boy says the Igorrotes from whom she purchased him stole him from his father's house while the Igorrotes themselves say that (they) were acting with the consent of the father, they having paid the father in pigs and chickens for him.

"The father will be apprehended in a few days and this point cleared up. Antonia having kept the boy a while at her house in Quiangan, took him to Solano to Miguel Manat, a christian resident of Solano, with whom she had previously talked about selling a child when she could procure one.

"Miguel, according to his own testimony, was afraid to purchase and came to Bayombong to ask the advice of Don Ramon Arriola, former Provincial Fiscal, and now Deputy Clerk of the Court of First Instance.

"Arriola, according to Manat's statement, advised him that his (Arriola's) wife would go to Solano to see the boy with a view of purchasing. She did so on the following day bringing back to Bayombong the woman Antonia and the boy.

"Then, it appears from the statement of the witnesses, that after a conference between the *Arriolas and Antonia* at Arriola's house the purchase of the boy was made by Señora Arriola on the following day, she paying Antonia ₱116 for him.

"Again in May of this year an Igorote boy of 7 or 8 years of age living with his mother in the rancheria of Cababuyan was surprised in the dark of the evening and carried off by five armed Igorrotes before his mother's eyes, she not knowing where he had been taken.

"These Igorrotes took him to Quiangan and afterward across the mountains into Isabela and there sold him to a citizen of Echague for ₱110. In this case and in the first case mentioned the buyers, very intelligent natives, confessed that they had purchased the boys as they would a horse or carabao and regarded them as their personal property.

"In the month of January last as has just been reported to the Senior Inspector of Constabulary of this province that two Igorrote women being held as slaves in Carig, Isabela, by 'Capitan' Vicente Tumang (now Concejal of Carig and 'Comissionado' or ex-commisionado for the Ilongote rancheria of Payu-

pay) escaped from their master and tried to escape into Nueva Vizcaya over the regular trail to Bagabag. They were pursued by the municipal police of Carig, overtaken on or near Bagabag, and returned to their master and say that he threatened them with death if they again attempted to escape.

"The fiscal of the Mountain District will arrive here in a few days to take charge of the preparation of these and other cases for presentation to the Court of First Instance, and he also will doubtless make such recommendation to his department as he deems appropriate regarding needed legislation in the premises.

"Very respectfully,

"LOUIS G. KNIGHT,
"Governor of Nueva Vizcaya."

On September 20, 1905, this report was referred to me as Secretary of the Interior by the Executive Secretary and on September 22 was by me forwarded to the Honorable Luke E. Wright, Governor-General, with an indorsement

"inviting attention to the inclosed statements from the Governor of Nueva Vizcaya, relative to the traffic in Igorrote children in his province.

"The undersigned has reason to believe that Negrito children and children of other non-Christian tribes are occasionally bought and sold by civilized natives, and is strongly of the opinion that in case the Penal Code does not provide adequate punishment for such offenses, it should be so amended as to make it possible to inflict severe penalties upon those who buy and sell human beings in this Archipelago.

(Signed.) "DEAN C. WORCESTER,
"Secretary of the Interior."

The papers were referred by Governor-General Wright to the Attorney-General,

"for an opinion as to whether there is not some provision in the present Penal Code which will provide adequate punishment for such offenses as are related herein."

The opinion of the Attorney-General rendered in response to this request reads as follows:

"Respectfully returned to the Honorable the Governor-General of the Philippine Islands, with the following opinion:

"The acts given in the attached letter of the Provincial Governor of Nueva Vizcaya, dated September 14, 1905, in so far as they refer to the purchase and sale of human beings, are not provided for or punished under the existing Penal Code; but such actions are punishable under that Code when they constitute either the kidnapping of a minor, illegal detention or serious threats, according to sections 481, 484 and 494 thereof.

“Therefore, in accordance with the fourth paragraph of the letter of the said Provincial Governor, I am of the opinion that not only the Igorrotes who stole the Igorrote boy, but also those who received and sold him, as well as the woman who bought him for forty pesos, are guilty of illegal detention. The latter is furthermore guilty of grave threats, inasmuch as she threatened to kill the purchased Igorrote if he tried to escape from her service.

“With reference to paragraphs 5, 6, 7 and 8 of the attached letter, I believe that those who stole the little Igorrote and also the woman Antonia, who sold him when knowing him to have been kidnapped, are guilty of the offense of illegal detention.

“If the boy who was stolen and sold, referred to in paragraphs 9, 10, 11, 12 and 13 of the enclosed letter, was under seven years of age, then those who stole him are guilty of the offense of kidnapping a minor, and the Igorrote woman, Antonia, and the wife of Señor Arriola, the Clerk of the Court, are accomplices in the crime. But if the child was over seven years old, then the offense would be illegal detention. The same may be said of the case recounted in paragraphs 14 and 15 of this communication. The parties who stole, sold and bought the little Igorrote are guilty of kidnapping a minor or of illegal detention according to the age of the victim.

“The acts committed by Captain Vicente Tomang, referred to in paragraph 16 of this letter, are punishable both as a serious threat and as illegal detention, because he unlawfully deprived the two Igorrote women of their liberty when they desired to leave his service, for which purpose he threatened to kill them.

“Although not asked for in the endorsement to which this is a reply, I venture to suggest that the Igorrotes who armed themselves and formed a band for the purpose of kidnapping persons for subsequent sale, be punished under Act 1121, which penalizes as *bandolerismo* the abduction of persons for any purpose, even though there may be no extortion or ransom demanded, if the abduction be done by an armed band.

(Signed.) “L. R. WILFLEY,
“*Attorney-General.*”

Encouraged by the opinion of the Attorney-General to think that something could be done under existing law, I returned the papers, together with the opinion, to the governor of Nueva Vizcaya and three test suits were brought as promptly as possible.

Ramon Arriola and Amanda Martinez were prosecuted for illegal detention. They were acquitted, the judge basing his action on the erroneous belief that the boy sold was an orphan and on the further undoubted facts that he was not locked up, watched and guarded, menaced, or threatened nor in any way by force deprived of his liberty and freedom, at least while in the custody of Señor Arriola, and was well treated by that gentleman.

Governor Knight quotes the following as the statement of the boy in question:

"I am an Igorrote, do not know my age, I lived with my father in the rancheria Banbang of Cababuyan. One day during the planting of the palay, I was left alone at our house, my father having gone to Banaue, and a man named 'Pali' came to our house and grabbed me by the arm and took me away with him, I cried and pulled back and begged to be let loose saying that I did not want to go with him, but he took me to his house in rancheria 'Halihi' where I was kept under guard and required to work, and poorly fed until about a month ago, a man named 'Buyag' was there and was the companion of 'Pali,' and they both told me that I was to be sold in Quiangan, I protested that I did not want to be sold but it did no good, they finally took me to Quiangan and turned me over to a woman, named 'Antonia,' saying that she would take me to some of the towns and sell me, then they went away. Some time later 'Antonia' took me to Solano where I was shown to 'Amanda,' and later I was brought to Bayombong along with Amanda, Antonia and Maria (the companions of Amanda) and I was left at the house of Amanda where I was required to work as a servant, I did not go to school nor was I given lessons or taught in any way, just required to work as a servant. I saw Amanda pay some money to Antonia and I knew that I was being sold and that I would have to stay at the house of Amanda and work. My father's name is Taguling and he lives in Bangbang of Cababuyan, I want to go back to him."

There was unquestionably a grave miscarriage of justice in this case.

The judge stated in his decision that Señor Arriola's representative had taken particular pains to ascertain that the boy was an orphan. Señor Arriola himself had told Governor Knight that he thought the woman who sold the boy was his mother, and had stated that he intended to keep him as a house servant but would give him up if the authorities so desired. It was doubtless true that Señor Arriola was not guilty of illegal detention within the technical meaning of that term and there was no law to punish him for buying a boy and holding him as a slave unless he used physical force in detaining him.

Antonio Dumay and Guinalot were prosecuted for illegal detention. Guinalot died in jail while awaiting trial. Dumay was convicted and the case was not appealed. This was an instance of the capture of an Ifugao boy by armed men, and his subsequent sale to a Christian Filipino in Isabela.

The third test case has become historic. It was brought against Tomás Cabanag, a well-known slave dealer who made a

business of buying and selling Ifugao children. He was charged with illegal detention in connection with the admitted sale, by him, of an Ifugao girl named Jimaya (or Gamaya).

He was convicted in the lesser court. The opinion and decision of the judge are given in full in the appendix (p. 89). I quote here the following extract therefrom:

“The Congress of the United States has declared that human slavery shall not exist in these islands and while no law, so far as I can discover; has yet been passed either defining slavery in these islands or affixing a punishment for those who engage in this inhuman practice as dealers, buyers, sellers, or derivors, the facts established in this case show conclusively that the child Jimaya was by the defendant forcibly and by fraud, deceit and threats unlawfully deprived of her liberty and that his object and purpose was an unlawful and illegal one, to wit, the sale of the child for money into human slavery. This constitutes the crime of *Detencion ilegal* defined and penalized by Article 481 of the Penal Code and this Court finds the defendant guilty as charged in the information.”

The case was promptly appealed to the Supreme Court and was there lost, on March 16, 1907. The judgment of the Supreme Court is also given in the appendix (p. —).

As to the facts, the court found, in part, that:

“Buyag testified that more than two years before, in order to help the family after the father’s death and for the purpose of keeping the child at home, he had bought her for three pigs, twenty-five hens, two measures of rice, and a cloak worth two pigs, from her mother, with whom she remained until the third year, when (her mother presumably having died) she was brought away by one Eusebio, at the instance of himself and another Igorot named Yog Yog, who had furnished part of the purchase price. Together they instructed Eusebio to sell her for a carabao and 50 pesos. Eusebio, together with his sister, Antonia, brought her to Quiangan, in the Province of Nueva Vizcaya, and sold her to the accused, Tomás Cabanag, for 100 pesos.

“In respect to this last sale, the stories of Tomás, Antonia, and the girl substantially agree.

“Cabanag had previously been instructed to buy a girl by one Mariano Lopez of Caoayan, to whom, after a few days, Gamaya was delivered in return for the price, which appears to have been 200 pesos. In his hands she remained for about two months until she was taken away by an officer of Constabulary. Afterwards this prosecution was instituted. Although Gamaya made objection to leaving the house of Cabanag, she appears to have gone without actual constraint and at no time in any of these places was she physically restrained of her liberty; she was not under lock or key or guard, went into the street to play,

returned at will, and was not punished or ill-used in any way, but was employed about the household tasks; in short, she appears to have been treated by Mariano Lopez as a household servant and to have been well cared for while in the custody of the accused."

This 13-year-old girl, purchased from her mother for pigs, hens, rice, and a cloak, under the absurd pretext that the object of the purchase was to keep her at home, where she would, of course, naturally have remained in any event, was allowed to stay with her mother during a period of some three years. In this manner the purchaser was saved the cost of boarding her while she was growing up. Having now reached what the Igo-rots consider a marriageable age, she was sold to a man who was engaged in the business of buying in Nueva Vizcaya children to sell in the lowlands of Isabela; in other words, to a slave dealer. He sold her to an inhabitant of the town of Caoayan, in Isabela, who had instructed him to buy a girl. Caoayan is distant many days of hard overland travel from this girl's home. When taken there she was among an alien people of another tribe and another religion, and although, as stated by the Supreme Court, she was not kept under lock and key and although that court held that:

"* * * There can be no unlawful detention under article 481 of the Penal Code without confinement or restraint of person, such as did not exist in the present case"

and held further that:

"Under the complaint for this crime it is possible to convict for *coacción* under proof of the requisites of that offense * * *, but among those requisites is that of violence through force or intimidation, even under the liberal rule of our jurisprudence * * *; consequently the charge of *coacción* against the accused cannot be sustained upon the evidence"

it is nevertheless true that this child, who had been thrice sold, was detained just as effectively in Caoayan as if chained to a post in the house of the man who bought her, and was required by him to perform menial labor without compensation. It would have been utterly impossible for her to escape and to make her way back through Isabela and Nueva Vizcaya to her own people, no matter how strenuously she might have endeavored to do so.

It is extremely difficult to prove forcible detention in connection with most cases of slavery in these Islands. Negrito slaves are usually purchased when mere babes and later have no recollection of their parents or of their former wild life in the hills.

Babes or very young children bring a better price than do older children, for the reason that they are less likely to run away.

Adult Negritos, and adult members of other tribes held in slavery, have as a rule been made to feel the heavy hand of the oppressor and are so afraid of their lives that they will not testify. Only under very exceptional circumstances will they admit that they are being held against their will, although they are quick to make their escape when a favorable opportunity presents itself.

The difficulty involved in protecting these simple people is illustrated by the following case which came to my personal attention:

An 11-year-old Bukidnon girl was carried away from northern Mindanao to Bohol by a Filipino school-teacher who had been discharged from the Insular service. Her parents gave every indication of bitter grief and begged to have their daughter restored to them. This was finally accomplished, to their great joy, as a result of my efforts. The kidnapper was ultimately brought into court, but before the case came up for trial the parents had been subjected to such "influence" that when called to the witness stand they swore that the kidnapper had taken their daughter with their full knowledge and consent!

In order to be reasonably effective, laws in these Islands must be so framed as to make it possible to protect people too ignorant, or too timid, to protect themselves.

Returning now to the Supreme Court decision, the Court held that:

"* * * the defendant appears to have engaged in the business of buying in Nueva Vizcaya children to sell in the lowlands of Isabela."

But it further held that:

"Not even the abhorrent species of traffic apparently carried on by the accused justifies a sentence not authorized by law."

More important still, the court held that:

"The judge below quotes the Bill of Rights of the Philippines contained in the Act of Congress of July 1, 1902, declaring that 'neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said Islands.' This constitutional provision is self-acting whenever the nature of a case permits and any law or contract providing for the servitude of a person against his will is forbidden and is void. For two obvious reasons, however, it fails to reach the facts before us:

“First. The employment or custody of a minor with the consent or sufferance of the parents or guardian, although against the child’s own will, can not be considered involuntary servitude.

“Second. We are dealing not with a civil remedy but with a criminal charge, in relation to which the Bill of Rights defines no crime and provides no punishment. Its effects can not be carried into the realm of criminal law without an act of the legislature,”

and also that:

“To sum up this case, there is no proof of slavery or even of involuntary servitude, inasmuch as it has not been clearly shown that the child has been disposed of against the will of her grandmother or has been taken altogether out of her control. If the facts in this respect be interpreted otherwise, there is no law applicable here, either of the United States or of the Archipelago, punishing slavery as a crime.”

In view of the facts above cited the necessity for legislation seemed obvious.

The Commission in its capacity as sole legislative body for the territory inhabited by Moros or other non-Christian tribes might have passed an act prohibiting and penalizing slavery, involuntary servitude, and peonage in that territory; but such an act unless supplemented by a similar one applicable to the neighboring Filipino territory where most of the slaves are actually held would obviously have been ineffective, while the desirability of having uniform legislation throughout the Philippines was evident.

The Philippine Assembly was about to meet for the first time. The work of drafting a proper bill was duly provided for and I am sure that no member of the Commission for a moment entertained the belief that there would be any difficulty in securing the concurrence of the Assembly in the passage of a reasonable act prohibiting and penalizing slavery, involuntary servitude, peonage, and the sale and purchase of human beings. The gentleman charged with drafting the bill encountered difficulty in so framing it that it would accomplish the desired end without unduly interfering with the rights of parents over their children. Long delay ensued.

I myself finally drafted a bill entitled: “An Act prohibiting slavery, involuntary servitude, peonage, or the sale of human beings in the Philippine Islands,” and introduced it in the Commission.

It was referred to a committee consisting of Commissioners Branagan and Palma, and reported back with the recommenda-

tion that it be passed with certain amendments, all but one of which were adopted. The bill as amended was passed by the Commission on April 29, 1909, and sent to the Philippine Assembly, where it was introduced on May 6, 1909. On May 7 it was referred to the Committee on Revision of Laws, and on May 17 it was returned by that committee with the following report:

“MAY 17, 1909.

“MR. SPEAKER: The committee concurs with the Commission in the approval of Bill No. 100 with the following amendments:

“(a) That the word ‘slavery’ be stricken out of the title of the Act, because it does not exist in the Philippines.

“(b) That from section 1, page 1, lines 7 and 8, the following words be stricken out: ‘take the fruits of his labors, compel him to deliver to another the fruits of his labors,’ since the acts contained therein constitute other crimes that may be *robo*, *hurto*, or *estafa*.

“(c) From line 11 in the same section the words: ‘less than six months nor;’ and from line 12 the words: ‘less than one hundred pesos and not;’ because the acts penalized in section 1 may be of such slight importance that they should not deserve a punishment of imprisonment for six months or a fine of one hundred pesos.

“(d) From line 22 (page 2), the word: ‘peso,’ substituting for it: ‘two pesos and a half.’

“With these enactments Commission Bill No. 100 is drawn up, according to the one attached hereto.

“For these reasons the committee submits for the consideration of the Assembly Commission Bill No. 100 and recommends its approval with the amendments introduced.

“Respectfully submitted.

(Signed.) “AGUEDO VELARDE,

“Chairman, Committee on Revision of Laws.

“To the Honorable,

“THE SPEAKER OF THE PHILIPPINE ASSEMBLY.”

This report, if adopted, would have emasculated the bill by striking out the minimum penalties, but it was not adopted. On May 19 the Assembly laid the bill on the table without discussion.

The following year I introduced in the Commission the bill which the Assembly had rejected. Action upon it was postponed, pending the receipt of information which was requested from the Assembly as to the reason for the failure of that body to pass it the preceding year. Shortly after this was obtained in the form of the above-quoted extract from the minutes of that body I was called to the United States and no further action was taken in the matter at that time, although the Governor-General

in his message to the Legislature had included the following recommendation:

“There is no express provision of law prohibiting slavery or involuntary servitude in the Philippine Islands. While the law provides certain methods of punishing the practice of slavery, as for example, the law for illegal detention, yet it does not seem right that an enlightened and modern country should have no way of punishing the purchase or sale of human flesh. It is recommended that this be remedied by appropriate legislation at the coming session.”

On January 31, 1911, I again introduced this bill in the Commission. It was amended in minor details and passed on that date and was duly forwarded to the Assembly. There it was introduced on February 2 and on February 3 was laid on the table. I here give the full record. It is significant as showing the lack of interest displayed by the Assembly in this important subject.

“An Act prohibiting slavery.

“The SPEAKER. Commission Bill No. 88 is submitted to the House for consideration. Read the bill.

“The SECRETARY [reading]. * * *

“Señor SOTTO. The Committee on Revision of Laws proposes that this bill be laid on the table.

“The SPEAKER. Is there any objection?

“The HOUSE. None.

“The SPEAKER. On the table.”

The Commission felt that it must act for the territory under its exclusive legislative jurisdiction and on August 7, 1911, after careful consideration, passed the bill in the following form:

“PHILIPPINE COMMISSION.

{ C. B.
{ No. 104.

“[No. 2071.]

“AN ACT PROHIBITING SLAVERY, INVOLUNTARY SERVITUDE, PEONAGE, AND THE SALE OR PURCHASE OF HUMAN BEINGS IN THE MOUNTAIN PROVINCE AND THE PROVINCES OF NUEVA VIZCAYA AND AGUSAN, AND PROVIDING PUNISHMENT THEREFOR.

“*By authority of the United States, be it enacted by the Philippine Commission, that:*

“SECTION 1. Whoever, except in pursuance of the judgment of a court of competent jurisdiction or other lawful authority, shall hold any person in slavery or involuntary servitude, or deliver any person to another person to be held in slavery or

involuntary servitude, shall, on conviction thereof, be punished by imprisonment for not less than one year nor more than twenty years and by a fine of not less than five hundred pesos and not more than five thousand pesos, in the discretion of the court.

"SEC. 2. Whoever shall compel another person, against his will, to render labor or services in payment of a debt, or whoever shall accept labor or services for such purpose performed under such compulsion, with knowledge of that fact, shall, upon conviction thereof, be punished by imprisonment for not less than six months nor more than five years, or by a fine of not less than one hundred pesos nor more than one thousand pesos, or by both such imprisonment and fine in the discretion of the court.

"SEC. 3. Whoever shall sell or barter or cause to be sold or bartered, and whoever shall buy or barter or cause to be bought or bartered, any human being, shall upon conviction thereof, be punished by imprisonment for not less than one year nor more than twenty years or by a fine of not less than five hundred pesos and not more than ten thousand pesos, or both in the discretion of the court.

"SEC. 4. Upon the trial of any person for violation of any of the provisions of this Act, lack of consent of a person under eighteen years of age shall be conclusively presumed.

"SEC. 5. One-half of any fine collected under the provisions of this Act shall be paid to the injured person and such payment shall not operate to extinguish in whole or in part any civil action which such injured person may have for damages.

"SEC. 6. This Act shall apply to the Mountain Province and the Provinces of Nueva Vizcaya and Agusan.

"Enacted, August 7, 1911."

Immediately after its passage some 40 slaves were liberated in Nueva Vizcaya by Lieut. Gov. Jeff D. Gallman of Ifugao, the persons who held them being so alarmed that they gave them up without objection. Under the circumstances, prosecutions in these cases were deemed unnecessary.

When the Legislature reassembled on October 16, 1911, the excerpt from the Governor-General's message above quoted and the bill passed by the Commission were referred to the Honorable Gregorio Araneta, Committee on Matters Pertaining to the Department of Finance and Justice. Secretary Araneta made slight changes in the bill and reported it back with the recommendation that it be passed by the Commission, for the regularly organized provinces, which was done. It was again forwarded to the Philippine Assembly and referred by that body to its Committee on Revision of Laws. It was held in committee from October 27, 1911, to February 1, 1912, at which time it

was reported back with the recommendation that it be laid on the table. This action was taken.

I subsequently included in my annual report for the fiscal year ended June 30, 1912, the recommendation cited at the beginning of this communication.

As already stated, the Commission, on October 24, 1912, passed the same bill that it had passed during the last previous session. It was duly forwarded to the Assembly where it was introduced on October 26 and on the same day was referred to the Committee on Revision of Laws. On January 8 the committee reported it back with the recommendation that it be laid on the table. This was done without discussion.

From the above record it will be apparent that on four separate occasions the Commission has endeavored to give effect to the will of Congress that:

“Neither slavery, nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said Islands,”

and that on each occasion the Assembly has frustrated the attempt by laying the Commission bill on the table.

It appears, furthermore, from the records of the Assembly that this action has been taken absolutely without discussion, and that no reason whatsoever has been assigned for such an extraordinary course, the only thing approaching a reason being that paragraph in the report of the Committee on Revision of Laws of May 17, 1909, which reads:

“(a) That the word ‘slavery’ be stricken out of the title of the act, because it does not exist in the Philippines.”

Individual members of the Assembly have been less silent than has that body as a whole, and the public press has from time to time made itself heard on the subject. In the absence of anything better I quote the following rather ingenious editorial from the number of the Filipino paper “La Vanguardia” for October 29, 1912, as probably a fair statement of the contentions of a certain class of Filipinos on this subject:

[Editorial.]

“THERE IS NO SUCH SLAVERY.

“Intelligent public opinion reflected in its organs of the press, has shown itself against that new law of the Commission which prohibits slavery in the Philippine Islands without distinction between the Christian and non-Christian provinces, considering

the same injurious, oppressive, and in the nature of an attempt to lower the democratic prestige and national pride of the race, and even the good name of the régime under which we have been governed for more than twelve years.

"In an evil hour a local contemporary has entered the arena, following an accustomed practice, to defend the attitude of the Government. Once more the decided purpose of the contemporary to support disinterestedly any measure, even the most unreasonable and untimely, provided its official origin is positively known, is guessed.

"It is certain and undeniable that every law looks to the future, but not to the point of affecting facts the possibility of the realization of which is too remote and disputable, considering the conditions of national existence, degree of civilization, present customs, and primordial tendencies of the people for whom the law is made.

"Does slavery exist at present in the Christian provinces of the Archipelago? The answer to this must be in the negative, if we understand slavery as it should be understood, by the lowest social class, debased and despised, that the ancient Romans created in order to give a useful application to their human booty of war, and by the American planters of the United States who cracked their whips upon the backs of the unhappy negroes who worked on their plantations, the gradual abolition of which was attributed to the campaign initiated and sustained by Christianity. Understood in this sense, it would be the height of humor, not to say of evil intention, to affirm the present existence of slavery in the Archipelago, much less in the Christian provinces. Before the Americans came here, our civilization was quite advanced and humanitarian ideas regulated our social existence. As slavery does not exist here at present, only a madman or a visionary can fear its existence in the future. To do so would be equivalent to affirming that the Filipinos, instead of progressing, think of lapsing back into the barbarism of primitive life. If on the one hand it is admitted that every people progress from day to day, and, on the other hand, that progress signifies reaction against all that is meant by barbarism and irrationality, there is no fear that the phantasm of slavery will disturb the peace of our civilized society to-morrow.

"What, then, is the use of a law prohibiting slavery, which is not a present fact nor even a fact reasonably to be expected in the future? The attitude of the Commission could not be more ridiculous. It shows ignorance of the reality and an inopportune ostentation of foresight. We are charitable enough not to attribute an ulterior purpose to this legislative body, which might be that of reflecting on the good name of our people, whose definite status is under discussion at this very hour. A law prohibiting slavery in the Philippines presupposes the existence of this social condition, which would constitute no argument in favor of our aspirations to a free life. The fact is that a people who devote themselves to certain primitive practices do not deserve the benefits of self-government.

"But this attitude of the Commission is, in a certain way, counter to its interests. The fact that after twelve or thirteen years of governing the Archipelago, the Government only noticed the existence of an abnormal phenomenon at this late hour, is no allegation in favor of the excessive pretensions of that Government which believes itself the best possible.

"If the intention of the Upper House is sound, and has for its object to prohibit and punish pledged services and involuntary servitude, it must express itself in clearer terms, eliminating the word slavery which here does not correspond to the most remote reality, substituting for it other concepts more adequate to the genuine exigencies of the situation.

"Otherwise, an unpardonable aggression against the prestige of our people and advanced civilization, the basis and foundation of our ideals of a free life, would be committed."

Apropos of this editorial the following pertinent suggestions have been made by an American newspaper published at Manila:

"Some of those opposed to the passage of the Act intended to outlaw slavery have availed themselves of the unique argument that to pass such a law would be to infer that there are persons in the Philippines capable of practicing slavery, and would therefore be a reflection on the country. It is hard to take such an argument seriously. It sounds like a chapter from a book of humor. Our respect for the average Filipino makes us unable to believe that any member of the Assembly would be guilty of such childish talk. The ostrich is the only bird, so far as the writer knows, that has the habit of hiding from unpleasant facts by sticking its head under sand. The average Assemblyman is too wise in his day and generation to think that he can cover up the thing he doesn't want to see by throwing sand in the eyes of the onlookers."

There exists what should perhaps be considered a more authoritative statement of Filipino claims relative to the nonexistence of slavery in the Islands, and the consequent lack of need of legislation for its eradication.

Governor-General Forbes, while in the United States on leave, criticised in a public speech the attitude of the Philippine Assembly on the slavery question.

Sr. Manuel Quezon, Resident Commissioner of the Philippine Islands to the United States, published the following reply in the issue of the Boston Herald for June 24, 1912:

"THE FILIPINOS AS LEGISLATORS.

"To the Editor of the Herald:

"My attention has been called to a statement made by Governor-General Forbes of the Philippine Islands, to the effect that the Philippine Assembly, of 81 Filipinos, has refused to

approve of an Act passed by the Philippine Commission (which is an American appointive body) in the last three sessions of the Legislature, prohibiting slavery and abolishing compulsory service. Governor-General Forbes draws the conclusion from this fact that 'the premature withdrawal of the United States would result in the establishment of an oligarchy composed of small and favored ruling classes who would oppress the masses.'

"I am sorry to have been enforced by the statement of my friend Governor Forbes, for whom I have the highest personal regard, to take issue with him. But I shall not, from personal motives, shrink from my duty of defending the interests of my people.

"The fact that the Assembly has refused to approve of the bill referred to by Governor Forbes, bespeaks the legislative ability of our Assemblymen, while, on the other hand, the passage by the Commission of said bill indicates either the incompetency or the negligence of the Commissioners. Do we have slavery and compulsory service in the Philippines or not? If we do not, the bill to abolish it is unnecessary. If we do, it is also unnecessary, because the Act passed by Congress, creating the present Philippine Government, which serves as our constitution, already prohibits slavery and compulsory service, and, therefore, no act of the Philippine Legislature is needed to declare it illegal.

"If there is slavery and compulsory service in the Philippines, the Governor-General as the Chief Executive, and the members of the Philippine Commission, who, with the Governor-General, compose the executive department of the Islands, are all of them guilty in not enforcing and executing the constitution of the Archipelago.

"If there is anything in the Philippines akin to slavery or compulsory service, it can not be found in the provinces to which the legislative jurisdiction of the Assembly extends. Should there be such a thing in the territories inhabited by the few non-Christian Filipinos, which are under the exclusive control of the Philippine Commission, I am sure the slaveholders can only be the Government officials, who are appointed by the Secretary of the Interior, the Honorable Dean C. Worcester, the head of the executive department in charge of said territories.

"It will not be out of place to indicate here the reason wherefor the Philippine Commission has passed the bill alluded to by Governor Forbes. The members of the Philippine Commission are sternly opposed to Philippine independence. Moreover, they are opposed to allowing the Filipino people to have a legislature wholly constituted of natives for reasons too apparent to be mentioned. One of their everyday arguments is 'that the premature withdrawal of the United States would result in the establishment of an oligarchy composed of small and favored ruling classes who would oppress the masses.'

"The passage by the Philippine Commission of the antislavery bill placed the Philippine Assembly in a very awkward position

(as it was perhaps intended to do) ; to concur in the passage of the bill was to admit that there is such a thing as slavery and compulsory service in the Philippines, which is not a fact. To reject the bill would be construed as indicating that the members of the Assembly were advocates of slavery. The moral courage of our Assemblymen was shown when they took the former course, that of truth. The members of the Commission denounce the attitude of their colleagues as proof of lack of sympathy for the masses of the people.

"The record made by the Philippine Assembly, as a legislative body, shows conclusively that its foremost interest is to promote the welfare, uplifting, and liberty of the masses. The first general appropriation ever made for schools for the children of the farmers in the remotest and poorest villages of the Archipelago was the first bill enacted by the First Philippine Assembly. The Bureau of Labor was only established at the instance of the Assembly and by an act which originated in that body. The Employers' Liability Act also originated in the Assembly, and only after a long struggle with the Philippine Commission, in which the Assembly had to compromise with amendments that almost made the Act ineffective, it became a law.

"The fear Governor-General Forbes expresses of establishment of a Philippine oligarchy would perhaps be lessened by reminding him of the fact that the present Government of the Philippines is a foreign oligarchy, and, by all laws of justice and nature, is worse than a native oligarchy.

(Signed.) "MANUEL L. QUEZON,
"Resident Commissioner from the Philippines.

"WASHINGTON, June 24."

With regret I must characterize this reply as puerile.

While there was perhaps no need of an Act declaring slavery and compulsory service illegal, there was very urgent need of some provision of law penalizing them.

No executive official of the Insular Government can with propriety be blamed for the nonenforcement of an Act under which the courts refuse to convict because it provides no penalty.

The statement that anything akin to slavery or compulsory service cannot be found in the provinces to which the legislative jurisdiction of the Assembly extends is false as I have shown.

The statement that if there should be such a thing in the territory of non-Christians under the exclusive control of the Philippine Commission the slaveholders can only be the Government officials appointed by the Secretary of the Interior is both false and absurd.

I will now address myself to Sr. Quezon's claims relative to the

nonexistence of slavery by citing certain additional pertinent facts.

The following letter gives some of them:

"CAMP STOTSENBERG,
"Pampanga, P. I., September 26, 1910.

"The ADJUTANT,

"Camp Stotsenburg, Pampanga, P. I.

"SIR: I have the honor to inform you that a report has this day been made to me that a party of hostile Filipinos, about 15 in number, armed with 1 rifle, 1 revolver and the remainder with bolos, presumably *ladrones*, entered a small Negrito barrio situated about one and one-half miles directly southeast from the post during the forenoon of Tuesday, September 20, 1910, and killed three men and carried away two small children. I have visited the barrio and the body of one man showing frightful mutilation, both head, feet and hands completely severed from the body was found. This settlement is situated in a dense jungle and the other bodies were presumably carried away or hidden, so that they could not be found.

"But one person can be found who witnessed the affair, an aged Negrito woman, who can scarcely walk from the treatment she received at the hands of these outlaws. She states that she would be able to recognize and identify some of the party. I am informed by Negritos living in the vicinity that this party of outlaws has a rendezvous a short distance east of Solbac where they might be apprehended.

"The killing took place without the reservation, but the matter is of sufficient importance, since all the Negritos living in the vicinity of the post are greatly excited and disturbed, to warrant the recommendation that it be referred to the Senior Inspector of Constabulary, San Fernando, Pampanga, P. I., for such action as he may desire to take.

"Very respectfully,

(Sgd.) "KYLE RUCKER,
"1st Lieut. & Squadron Adjutant,
"14th Cav. Intelligence Officer."

The subsequent fate of these Negrito children is made plain by the following letter:

"PHILIPPINE CONSTABULARY,
"San Fernando, Pampanga, P. I., October 4, 1910.

"MY DEAR HOLMES: We have a case up here of murder committed near the town of Angeles in which several Negritos are mixed up.

"We managed to locate two Negrito children who had been sold by the man who killed their father. They were in the possession of a man named Ambrocio David who says he paid sixty pesos for them and says they are his property.

"I think that we can convict the murderer of the children's father, if we can catch him, but this sale of Negritos has gone

such a pace that almost every family¹ in Pampanga has at least one as a 'companion' of their children, they say, but really as a slave.

"The fiscal says there is no law against the sale or purchase of Negritos and I cannot find it although I seem to remember a law, but whether it alludes to Negritos or only Moros I am unable to say.

"If there is a law, what number is it and if not, can you get me an opinion of the Attorney-General or some ruling so as to show us how to act in this and future cases of this kind?

"Yrs,

"W. S. NORTH, S. I."

In this case one of the kidnappers was convicted of murder, but nothing could be done to him for selling the Negrito children nor could anything be done to Señor Ambrocio David for buying the children or for claiming that they were his property.

This case is typical of a considerable group of cases in which raids are made to capture slaves, the relatives, friends, or fellow-tribesmen of the persons captured being killed if they offer resistance.

Slave-raiding expeditions made by Filipinos are comparatively rare. A method more commonly pursued by them in obtaining Negrito children is to negotiate with Negritos for the purchase of as many children as are desired, leaving them to raid their unfortunate fellow-tribesmen in some other locality and capture the required number. As the Negritos are savages of low mentality, living in families or small groups which are often hostile to each other, inhabiting the most inaccessible mountain regions and constantly wandering about, it is often easy to persuade them to undertake the kidnapping of children to be sold into slavery, especially if they can at the same time revenge themselves on some group of Negritos with whom they are at war. It is difficult to obtain information concerning these raids, or to prevent them, for the Filipinos and Negritos concerned have abundant reason for keeping their own counsels.

Another common procedure is to get Negrito parents thoroughly intoxicated with *vino*, of which they are inordinately fond, and buy their children from them while they are drunk.

The Negritos are very improvident and consequently sometimes suffer severely from hunger. When they are starving it is comparatively easy to buy their children. Under such circumstances I have personally known a Negrito girl of marriageable age to be purchased for rice worth ₱3 (\$1.50 gold).

¹ The word "family" here means important or leading family.—D. C. W.

I quote the following from a memorandum for the district adjutant furnished by Walter S. North, senior Constabulary inspector for the Province of Pampanga, under date of October 20, 1910:

"I know of several cases in Pampanga where men have come into the province from Bataan and Zambales especially to capture Negritos and to sell them into slavery.

"This 'underground' system has its outlet at Calumpit, Bulacan, where the two children were bound ¹ when caught in Guagua.

"Isaac Gramonte, now in Culion or Iwahig, and his partner Leon Sibal, who died in Bilibid, were considered experts in the capture of Negritos. Victor Dula of Floridablanca admitted that he sold several children and the town of Floridablanca has a regular schedule of prices, viz, a boy of five years, ₱30.00; a girl of the same age, a little less; a girl of seventeen, from ₱30.00 to ₱60.00, and a man of twenty sometimes brings as high as ₱80.00. Those with strong bodies naturally go for higher prices.

* * * * *

"The recent murder in the barrio of Santol, Angeles, was done by a slave-hunting band; the father and mother of the two recovered children were killed by (it is reported) a man named Ignacio Lumanlan and a Negrito guide who led a band of five slave hunters. One man has been captured and will be tried for illegal detention of children, but the ringleaders escaped thru the stupidity of the Angeles police."

At my request a captain of Constabulary was sent to Pampanga during the latter part of January, 1913, to make some further investigations relative to Negrito slavery. Under date of January 27 he telegraphed as follows:

"A good chance buy several persons. Can you send me a remittance of seventy-five pesos each? Require telegraphic authority Secretary of Interior. Written receipt can be secured. Can produce witnesses. Dealers waiting anxiously for money. Immediate reply imperative."

My first impulse was to forward money from a fund disbursable by me to promote friendly relations with head-hunting tribes and other non-Christians, asking him to buy the persons offered for sale and then restore them to their people, thus accomplishing a good work and at the same time securing conclusive evidence that sales are still being made, but on further consideration it occurred to me that were I to do this my action might be subject to grave misinterpretation, and indeed might actually lead to fresh slave-hunting raids carried out for the purpose of

¹ i. e., going—D. C. W.

restocking the general market or for that of getting more Negritos for sale to this officer. I therefore directed him not to make any purchases but to secure such evidence as was available relative to the existing and past state of the market. He sent me the following document among others:

“SAN FERNANDO, PAMPANGA, *February 3rd, 1913.*

“I, Pilar Sason, wife of Dimas Reyes, residing in *población* of Lubao, Pampanga, certify to the following:

“That one day about three years ago there arrived at our house in Lubao three natives of Dinalupijan, Bataan, one of whom had the surname Arellano, the other two unknown by name, bringing with them two adult male Negritos (Balugas). My husband, Dimas Reyes, was at the time in Floridablanca, so the three above mentioned natives, with the two Negritos, waited until my husband arrived, about three days later.

“That upon my husband’s arrival home he told me to get ₱80.00 and pay it to the three natives of Dinalupijan, which I did counting out the money and passing it over in the presence of my husband and several neighbors. This ₱80.00 was in payment of but one of the Negritos, and had previously been brought from Tanauan, Batangas, by my husband (so he stated to me) with ₱5.00 for expenses, for the purchase of a Negrito.

“The following day the three Dinalupijan natives, my husband, and the two Negritos left by train for Tanauan, Batangas. My husband was away for more than one month, and on his return told me that the two Negritos had been sold in Tanauan, although one objected to the climate of that section.

“The above statement has been interpreted to me by Supply Sergeant Juan Oxiles, and I certify to the facts therein expressed.

(Sgd.) “PILAR SASON.

“Witnessed:

“L. T. ROHRER.

“JUAN OXILES.”

Curiously enough, it happens that I had previously run across this same case while attending a gathering of Negritos in the Province of Bataan. The kidnapped Negritos were named Rufino and Hilantic. Constabulary and police reports show that they were captured by Dimas Reyes and a man with the surname of Estanislao, both of the Province of Pampanga, who got them dead drunk with *vino*, tied their arms behind them while they were helpless, and when they recovered their senses dragged them away into slavery, threatening to kill them if they made any objection; were taken to Guagua, Pampanga, where they were put on the train and shipped to Manila and from Manila were sent to Calamba in the Province of La Laguna by steamer; were taken from Calamba to Tanauan, Batangas, in a *carrromata*,

and were there sold to Nicolas Gonzales, the municipal president of the town, and to Capitana Maria Laurel, or at least that these were the persons who made the payments for them.

These Negritos were subsequently informed that they had been purchased for ₱440.00. Three months later they escaped, but were recaptured in Biñang and returned to their respective owners. Two months later Rufino again escaped and ultimately made his way back to his native mountains in Bataan. Hilantic escaped at the same time but has never returned to his old home. Believing that I had traced him to Manila I caused a careful search to be made for him there by the police, as a result of which I secured a list of all the Negritos who could be found in that city, but the unfortunate Hilantic was not among the number and there is grave reason to fear that his "insubordination" has cost him his life.

Under existing provisions of law it was possible to prosecute the men who kidnapped these Negritos since they forcibly restrained them of their liberty, but nothing could be done to the two leading citizens of Tanauan who bought them for cash. Indeed, it was with great difficulty that the survivor, Rufino, could be persuaded to talk of his experiences in private. He would have refused to testify against his late owner and could not have been persuaded that such conduct would not endanger his life.

I shall later discuss the subject of Negrito slavery in Manila, the capital city of the Philippine Islands.

The following specific cases occurring in Pampanga were reported as the result of one day's investigation by a supply sergeant of the Philippine Constabulary.

"Negrito boy aged about 8 yrs., is reported by Juan de Ocampo and also by Nicolas Losong of San Juan of Santa Rita, to be living in the house of Monica Darios, a widow of Santa Rita. Witnesses say it is commonly known that the Negrito boy was purchased from his parents when about 2 yrs. old. Boy came from a sitio called Mt. Pio, near Porac; is ignorant and does not know much about himself.

"Negrito boy aged about 7 yrs. Living in house of Esteban Simpao, of Santa Monica, Santa Rita. Boy came from Florida-blanca mountains. Boy says he thinks his parents are dead. Teodoro Icban of barrio of Santa Monica says he knows that Esteban Simpao bought the Negrito boy although he does not know how much was paid for him. Andreas Mendosa, also of the barrio of San Matias, knows that the Negrito boy has lived in house some time and that Esteban bought him in Florida-blanca when he was 2 years old.

"Negrita girl aged about 11 yrs., living in the house of Ariston

Maglalang, formerly presidente of Santa Rita; girl came from sitio called Mt. Pio, near Porac. Juan de Ocampo gave above information. He lives in Santa Rita. Nicolas Losong, barrio of San Juan of Santa Rita, says he knows that Ariston Maglalang bought the girl when she was 3 years old and that she has been living in Maglalang's house as a servant ever since.

"Negrita girl aged 11 yrs., living in house of José Juico, the ex-presidente of Porac (term just expired). Girl came from the mountains near Porac. Victoriano Calma of Porac says he knows when Juico bought this girl and that she was about 3 years old at the time. Calma is a friend of Juico and there does not appear to be any secret about the slave trading, prices are discussed in public and in Porac range from ₱50.00 to ₱100.00.

"Negrito boy aged 8 yrs., living in the house of Magno Garcia, Santa Monica, Santa Rita. Boy came from mountains behind Floridablanca. Parents are dead. Andreas Mendosa of same barrio says that he knows that boy was purchased by Magno Garcia from his parents when he was about 3 years old. Garcia does not make any efforts to hide the fact that he has the boy and admits having bought him. Juan Oxiles says he talked with several persons in the barrio and they all know about it.

"Negrita girl aged 9 yrs., living with Josefa Siongo, Mitla, Porac. Girl came from mountains behind Porac. Marcelo David of the same barrio knows of case; says parents are dead and girl was taken to save her life and to look after her at death of parents. Eleno David also talked freely of case; he said that Josefa bought the girl and treats her well. That she was about 2 years old when purchased."

The supply sergeant who investigated these cases did so in disguise, telling the persons interrogated that he was a slave dealer of Pangasinan, but no secret was made of any of the cases. He went openly into the cockpits and talked with strangers, who freely gave him information. It is well known that no existing law can touch the dealers.

The frankness with which the facts are admitted is well illustrated by the following rather naive statement made by Salvador A. Santos in an article entitled "Economic Advancement among the Negritos of Pampanga," which appeared in "The College Folio," for November, 1912:

"An economic fact among the Negritos is the orphan child. An older brother or sister, who is not willing to support the fatherless and motherless child, sells it to some wealthy Filipino. The money is divided among the relatives of the child and with it they buy such things as they may happen to need."

"The College Folio" is published by the students of the College of Liberal Arts, University of the Philippines.

The above-mentioned supply sergeant reported that Macario Ayson, of Angeles, told him that if he went to Porac he could get

Negritos there. In case there were none in Porac for sale, he could get any number of persons to go out and capture them for him.

The same man told him that it was not the custom to keep Negritos ready for possible sales, but that the supply was inexhaustible in the mountains and it was the custom to go out and get them in each case.

In response to a recent request by me for information, six cases were reported from the Province of Zambales by the Philippine Constabulary. I give one here.

"Mr. Antonio Rolls, San Marcelino, Zambales. One Negrito girl, 9 years of age, named Librada. Bought by Mr. Rolls from a Negrito, Lazario Catapias, of Santa Fe, barrio of San Marcelino, for ₱80.00 seven years ago. She does not receive wages. Used as a servant for the family."

For the others see the appendix of this report, page 95.

Of 27 cases reported for the Province of Tarlac, in response to my request, by a Filipino Constabulary officer, I cite the following as typical:

"Maria Sival, woman, age 25 years, single. She was presented in 1895 by one Cirilo Marestela to Leon Sival of Bamban, Tarlac, who had her baptized and adopted her. She receives food and clothes but no wage.

"Arsenia Natividad, a girl of 10 years. She and her mother presented themselves on about 1909 to Mariano Natividad, of Tarlac, Tarlac; later her mother died and she was left in the care of Laureana de la Cruz, who had her baptized.

"Rufina de Guzman, a girl of 7 years. She was sold in 1911 by another Negrito by the name of Tranquilino to Gervacio de Guzman of Capas, Tarlac, for ₱50.00. Guzman had her baptized, giving her his name. She is very young for any kind of domestic work. She receives no wage."

The other cases are given in the appendix, beginning on page 96. There are certain especially interesting things about the report of this Filipino officer. He claims that in 20 of the 27 cases which I cite, the Negrito was presented by his father, mother, or some other near relative to his owner. He mentions the still more remarkable fact that in two instances Negritos calmly walked in and presented themselves, to be held as servants without pay!

These allegations hardly need discussion. Negrito children sell readily for considerable sums, and if parents were to make up their minds to part with them there is no apparent reason why they should not demand and receive the full market price.

Indeed, no one familiar with the characteristics of Negritos can doubt that they would do this if left free to follow their inclinations.

The constant references to baptism in the above-mentioned report are worthy of note. The belief seems common among Filipinos that the act of baptizing wild people, whether with or without their consent, affords adequate excuse for subsequently retaining them in servitude, the favor conferred by the act of baptism being so great that the fortunate ex-heathen ought to be willing to work the rest of their lives in return for it!

The frequency with which these little black, dwarfish, woolly-headed savages are claimed to have been "adopted" is also significant.

In no single case have I been able to obtain evidence of real, legal adoption. The following document illustrates the procedure which seems invariably to have been followed:

"On the 25th of December, 1912, I, the authorized curate of this district, Lubao, Province of Pampanga, baptized solemnly, and put on the blessed 'Oleos' in this church in my charge on one Negrita ten and eight years of age (18), and have given the name of Juana, daughter of a father poor and unknown. The foster mother, Doña Pia Vitug, married in this town received the charge as a parent to care for the spiritual welfare and other obligations.

"I for the truth sign,

"FRIAR PEDRO DIEZ."

(Girl given the name of Juana de Jesus Vitug.)

A document of this sort imposes no legal obligation whatever on the owner of a slave, and makes no change whatever in the status of the slave, but merely serves as a basis for the claim that he or she "is treated as a member of the family."

It will be noted that the cases I have thus far cited occurred in the provinces of Tarlac, Pampanga, Bataan, and Zambales, near Manila. Now let us take a look at Manila itself.

In endeavoring to get track of the Negrito Hilantic, who escaped from slavery in Tanauan, Batangas, and then disappeared, I asked the chief of police of Manila to look into the cases of all Negritos known to him to be residing within the city. I quote the following from his report:

"José Tuason, age 27 years; genuine Negrito; born in Zambales; has never known his parents; cannot tell details of his life, being completely ignorant. One Mariano Tuason related that this Negrito was presented to him, when said Negrito was four years old, by a tailor. When Mariano Tuason came to

Manila, he took this Negrito with him as his muchacho,¹ receiving board and lodging and clothes for his services, but no wages. Said Negrito is still working for him at 817 Calle Santol,² Sampaloc, Manila.²

"Lorenzo Ferrer, age 25 years; genuine Negrito, born in Floridablanca, Pampanga; has never known his parents. The son of Felix Ferrer stated that this Negrito, while yet two years old, was sold to him by a Filipino in Floridablanca. Since that time this Negrito has lived continuously with Felix Ferrer, his present owner, at 355 Calle Aviles, as a servant. He receives no wages.

"Trinidad Joven, a Negrita woman 20 years of age; born in Bacolor, Pampanga. She has never known her parents. She says that from the age of two to that of fourteen years she worked for her godmother, one Felisa Joven in Bacolor, and then escaped from her for maltreatment. She afterward came to Manila in company with an American soldier as his mistress. Later the soldier left for America and she then went to work for a Spaniard as a servant for three months. In order to earn more money she voluntarily entered the house of prostitution where she was living when interviewed. She says that no one ever induced her to become a prostitute."

The details of nine additional cases are given in the appendix, beginning on page 98.

A comparatively short time ago a Negrita girl was brought in, as a pony or a carabao might be, and offered for sale to the wife of an English gentleman living in the outskirts of Manila.

If conditions such as these prevail in the capital city of the Philippines and the immediately adjacent provinces, what of the more remote regions of the Archipelago bordering on the territory inhabited exclusively by non-Christians?

The Ifugaos have been especially victimized. The following conditions of servitude are recognized by them:

Jim-bút.—This is the name applied to real slaves. The Jim-bút becomes an article of commerce and often changes owners several times before reaching the country of the Ba-li-uon (Christians).

Nij-cóp.—This is the name applied to children who have been really adopted under a formal contract made with their parents or nearest relatives in case the parents are dead. The Nij-cóp acquire certain property rights from their new parents-by-adoption.

Baj-ál.—This is the name given to orphan children who have been formally taken in charge by some well-to-do Ifugao and who

¹Servant.—D. C. W.

²Since the above was written this Negrito has left his master and "disappeared." The police cannot find him.



THE QUIANGAN SCHOOLHOUSE.

It was built by the Ifugao boys shown in the photograph and an American foreman. Ifugao children are sold into slavery more frequently than are the children of any other tribe except the Negritos.

are unable to support themselves. The Baj-ál is a tentative Nij-cóp, for if he turns out to be bright and industrious he may become a member of the family and acquire property rights.

Ta-gá-la.—This is the name applied to servants who receive regular compensation.

Lieut. Gov. Jeff D. Gallman, of the subprovince inhabited by the people of this tribe, has given me data relative to numerous cases of Jim-bút, or true slavery. I quote the following:

“Shortly after the evacuation of Ifugao by the Spaniards in 1898 or '99, one Duyugon of Bambang, Ifugao, was brought to Kiangan by one Du-ma-guing of the same rancheria, and was turned over by him to Ban-nu-jac of Pin-dungan, Kiangan, to be taken to the lowlands for sale. This man was sold to an unknown person¹ at the barrio of Id-da-lom, Echague, Isabela, for ₱150.00 which was equally divided between Du-ma-guing and Ban-nu-jac.

“During the first year that the Americans were at Kiangan a woman named Intanap of Lingay, Ifugao, 17 years of age, was purchased by one Bal-la-tong for two carabaos and was sold to one Tomasa Balanag of Solano, Nueva Vizcaya, for two carabaos, some chickens, and a small amount of money.

“In 1900 a fourteen year old girl named Indungdung, a niece of one Pingot of Jin-yon, Ifugao, was paid by the latter to one Tunog in settlement of a debt. Tunog turned her over to one Pingkijan of Burnay for sale to the Christians. Accompanied by three companions he set out with the ‘Jim-bút’ for Nueva Vizcaya but on approaching the rancheria of Ca-ba the party were attacked and all were killed.

“During 1900 a boy named Immangjing, of Paniki, Japao, Ifugao, was stolen by Bulyunan, of Uja, Banaue, and taken to Dammag, whence he was taken to Isabela Province and sold to Christians for ₱115.00.

“About 1903, during the time that Lieutenant H. L. Logan was in command of the Constabulary station that had been established at Banaue, a boy named Bantiyao, son of Bungtayon, of Jim-man-ing-jin, Japao District, was stolen by one Dalit, of Tagaue, Canaue, taken to the province of Isabela, and there sold to Filipinos for ₱70.00.”

Numerous additional cases of slavery, reported by Lieutenant-Governor Gallman, will be found in the appendix beginning on page 99.

Other cases of slavery in Ifugao have been reported by Lieutenant W. E. Dossier, P. C., commanding the garrison of Constabulary stationed at Mayoyao.

¹ Ifugaos in their dealings with Filipinos usually know only their Christian names and it frequently happens that the names given to them are fictitious.

Lieutenant Dosser's report was addressed to the Adjutant, District of Northern Luzon, San Fernando, Union, under date of April 6, 1910. It will be found on page 103 of the appendix.

I invite special attention to the fact that Lieutenant Dosser says:

"None of these deals have ever been made for any specified period of time, but for all time."

This fact is of interest apropos an extraordinary claim recently advanced by Ex-Justice Tracey that the so-called slavery among "the Igorots" is a sort of "apprenticeship" or "indenturing of children."

The number of cases cited of Ifugaos held as slaves in Isabela might be very largely increased. It is well known throughout the territory of the people of this tribe that hundreds of their fellow tribesmen have been sold into slavery in that province.

In Nueva Vizcaya it has been possible to deal with the more flagrant cases since the passage by the Commission of the law above referred to, but the Commission is powerless to pass a law applicable to Isabela. When the enforcement of the Antislavery Act of the Commission began it was found that some of the persons originally sold into slavery in Nueva Vizcaya had run away from their masters and become vagabonds. Few really wanted to return to their parents, whose language they had in many cases almost forgotten. Their condition was pitiable in the extreme.

If an effective law could be made applicable to the Province of Isabela, slave dealing in Ifugao children could be promptly terminated.

The Ilongots of Nueva Vizcaya are victimized much less than are the Ifugaos, partly because of their small numbers, and partly because of the inaccessibility of the places in which they live. However, they have suffered to some extent, as is shown by the following statement of Norman G. Conner, who served for some time as acting governor of the province:

"Just before the American occupation José Baucel, of Dupax, Nueva Vizcaya, who had been a trader among the Ilongots for many years and had gained strong influence over them, persuaded Santos, an Ilongot of Campote, to send his boy and girl, aged about five and seven years, to Baucel's place at Dupax. Baucel said that he would educate the children but after they had been with him for a few months he arranged with three Ilocanos of Dupax to take them to the Province of Isabela and sell them. They were sold for ₱200 and the proceeds were divided among

the four men. The Ilongots did not learn of the sale of these children for several months, but from that time on Baucel has never dared to go near the Ilongot country."

From numerous other cases of slavery in Nueva Vizcaya, the details of which have been furnished me by its former Acting Governor O. A. Tomlinson, I have selected eight which will be found in the appendix, beginning on page 104.

It will be noted that most of the cases of slavery in Nueva Vizcaya date back of 1905, in which year we seriously took up the matter of slave dealing in this province, and prosecuted a number of persons under the charge of illegal detention. While we usually failed to obtain convictions on account of the unsatisfactory nature of the then existing law, the prosecutions had a good moral effect and slave dealing became a troublesome, if not a dangerous, occupation.

The method at present used in obtaining so-called Ifugao "servants," who are to all intents and purposes slaves, is for the Filipinos desiring them to make arrangements with traders who visit the Ifugao country. The latter procure them through enticing offers of high wages, school advantages, etc. The pay of children obtained under these circumstances is practically always withheld in order to prevent them from escaping, and they are slaves in everything but name. The following case is typical of scores of others:

"In 1907 Juan Tagle, of Bayombong, Nueva Vizcaya, on being discharged from the Constabulary service at Banaue, in Ifugao, brought with him an Ifugao boy some 12 years of age named Bandao, taking him to Bayombong and promising to pay him ₱1.00 per month. Tagle never paid the boy a cent and at different times permitted (?) him to work for other people.

"The boy finally accumulated ₱10 from the latter class of work and began to be desirous of leaving his master. In order to prevent this Tagle borrowed the ₱10 and failed to return them, thus keeping the boy subject to his wishes."

If some American official becomes cognizant of the facts in a case like this, "salaries" long overdue are promptly paid and "servants" are allowed to return to their homes.

Lieut. Gov. Walter F. Hale, of the subprovince of Kalinga, reports that on several occasions when he has been trying cases in his capacity as justice of the peace, slaves have been offered to him on condition that their masters be not punished for crimes committed.

It should be borne in mind that I have obtained the details of the above-cited cases within a few weeks. I have as yet heard

nothing from a number of regions where slavery is well-known to be especially common. I think, however, that I have cited a sufficient number of cases of genuine slavery to demonstrate the fact that this evil exists in the Philippine Islands. It can never be successfully checked until there is a law of general application throughout the regularly organized provinces of the Archipelago penalizing the sale, barter, or purchase of human beings. What reason has the Philippine Assembly for refusing to pass the necessary act?

That body has members from Pampanga, Tarlac, Bataan, Zambales, Isabela, Cagayan, and numerous other provinces where slavery prevails. It holds its sessions in Manila, where slavery exists. Are its members ignorant of the facts which schoolboys know?

Without hesitation I express the opinion that, apart from a false and foolish pride which makes the persons concerned unwilling to admit the existence of slavery, the chief reason why Assemblymen object to the law which they have tabled is that it would not only prohibit and penalize slavery, but would necessarily also prohibit and penalize peonage, which is so common and widespread that it must be called general. Indeed, I have no hesitation in asserting that it prevails in every municipality in the Philippine Islands.

The rich and powerful man, commonly known in this country as a "cacique," encourages the poor man to borrow money from him under such conditions that the debt can never be repaid, and holds the debtor, and frequently the members of his family as well, in debt servitude for life. One might fill a score of volumes with records of cases and I can here do no more than select a few typical illustrations of the working of this vicious and abominable system.

The following facts have been furnished me by Hon. James A. Ostrand, judge of the Court of Land Registration:

"In 1907 a woman, whose surname, I think, is Quintos, asked me to lend her twenty-five pesos with which to 'redeem' her daughter who had been mortgaged for that amount to a Chinese merchant, whose name at present I do not recall, but who had his establishment on the ground floor of the house of Ubaldo Diaz in Lingayen. The woman stated that the Chinaman was corrupting the morals of the girl, and that this was the reason why she wanted to make the redemption. I told her that under the circumstances no redemption was necessary, but that I would see that the girl was allowed to leave the Chinaman, who, on proper representations, was induced to let the girl go home. She stayed with her mother for a couple of weeks, but, by adding

₱75 to the mortgage debt, the Chinaman got her back, and shortly before I left Lingayen I learned that the girl, though scarcely fifteen years old, had given birth to a child.

"In 1907 a woman from the town of Balincaguin in Pangasinan came to my office and stated that she, about six years before, had 'mortgaged' (the term 'salda' in Ilocano and 'sanla' in Pangasinan are usually translated *mortgage*, but also imply *pledge*, as the creditor generally takes possession of the mortgaged property) her twelve year old son for some twenty pesos to Don Cirilo Braganza, the member of the Second Philippine Legislature for the district in which I was then living; that her son had been working for Braganza ever since, and that, according to her reckoning, the debt had already been paid, but that Braganza had unjustly charged the loss of a carabao to her son's account, thus adding ₱120, if I remember correctly, to the debt. She further stated that she had asked Braganza to release the boy, but that he refused to do so. I informed her of the provisions of the Philippine Bill in regard to involuntary servitude, and advised her that her son was free to leave Mr. Braganza's services if he so desired. She said that if the boy should leave she was afraid something might happen to him as Braganza was very influential in that locality. I then gave her a note for Braganza requesting him to let the boy go. Shortly afterwards Braganza came to me and gave me his version of the case, stating that he had always treated the boy well, and that the loss of the carabao was entirely due to the boy's negligence, and that he, Braganza, would not consent to the boy leaving him before the carabao was paid for. At last reports the boy was still with Braganza and may be there yet. I may add that I believe Braganza told the truth, and that the boy was guilty of negligence in connection with the loss of the carabao."

The net result in this case was that a boy was "mortgaged" for a ₱20 debt and after six years the debt had very largely increased, possibly in part as a result of the carelessness of the boy.

In a letter to Judge Ostrand I had defined "peonage" as "the condition of a debtor held by his creditor in a form of qualified servitude to work out a debt." Of its prevalence the Judge says:

"While practicing law in the Province of Pangasinan, during the years 1905 to 1909, hardly a week passed but what cases of involuntary servitude, as defined in the within communication, came under my observation."

He also calls attention to the fact that interference with the system does not increase one's popularity:

"Interference by third parties in cases of involuntary servitude is not looked upon with favor, and is generally considered

highly reprehensible. I remember, for instance, a case where Mr. Pedro Sison (not the member of the Legislature), then a prominent resident of Lingayen, was, as he himself regarded it, made the victim of unwarranted interference. A woman bought a small parcel of land from Mr. Sison, agreeing to work out the purchase price, forty pesos. She worked with Mr. Sison for six years, at the end of which period the debt had increased to over sixty pesos, according to Mr. Sison's accounts. In the meantime the woman became a protestant, and Rev. E. S. Lyons, the methodist missionary in Pangasinan, advised her to leave Mr. Sison's service. Upon her doing so Mr. Sison became very indignant not only at her but also at Mr. Lyons, and for some time thought seriously of having the latter criminally prosecuted. He appeared to be very much surprised when he found that there was no penal provision covering Mr. Lyons' action. Mr. Sison was otherwise a very estimable and good-natured man, but he never until his dying day, which occurred a couple of years afterwards, got over his bitter resentment toward Mr. Lyons."

Judge Ostrand summarizes the results of his observations as follows:

"Nearly all the involuntary servitude cases of which I have any knowledge have arisen from the practice of mortgaging half-grown children. The sum advanced is usually some twenty or thirty pesos. As the money seldom draws interest at a lower rate than ten per cent a month, and the creditor furnishes the child food and such clothing as it may need, its services are ordinarily not considered worth more than the amount of the interest, and the debt instead of being reduced usually increases as the years pass. I venture to say that among the Filipinos in some sections of the Islands the majority of house-servants are obtained and employed in this manner."

It would indeed seem that with interest at the rate of 120 per cent per year and the creditor able to fix his own price for food, clothing, and other necessaries furnished his debtors while they were trying to work out their debts, they would not be likely to succeed in doing so!

If the unfortunate peon finally rebels, the rich *cacique* often invokes the law against him by having him prosecuted on some false criminal charge.

In this connection the following letter is of interest:

"PHILIPPINE CONSTABULARY,
"OFFICE OF THE SENIOR INSPECTOR,
"San Fernando, Pampanga, September 26, 1912.
"The SUPERINTENDENT, INFORMATION DIVISION, P. C.,
"Manila, P. I.

"(Thru' Adjutant, District of Central Luzon.)

"SIR: Reference to the prosecution of Maria Guzman before the justice of the peace of Apalit for 'Infracton of Law 2098'

(your file No. 8634-75) I have the honor to attach copy of decision in the case, and remarks:

"About three (3) years ago Simeon de los Reyes, by and with the consent of his wife Maria Guzman, borrowed and signed receipt for fifty pesos (₱50.00) to Maria Santos of Apalit, contracting that his wife work out the debt moulding earthen jars—that for every hundred jars made Maria Guzman received ₱1.00, 25¢ of which was to go on the debt. The woman states she could make about fifty jars per week, so that her actual wages were 50¢ per week (or \$.005 per jar.—D. C. W.). This without board, as the woman states that any money she got for food was charged on original debt.

"By the first part of this year the debt had 'decreased' to ₱70.00, when another receipt for that amount was signed by the husband, de los Reyes, and the old receipt for ₱50.00 destroyed. In the month of August ultimo the Santos woman refused to advance Maria Guzman more money, so Maria Guzman left and joined her husband, who was working in Manila. The debt at time of trial amounted to ₱79.00 and a fraction.

"Warrants of this nature are being continually sent from Pampanga, either by messenger or mail, direct to the Superintendent, Information Division, without passing through my hands. The reason is evident.

"It is respectfully requested that in the future all warrants reaching your office in this way be referred back to me before execution.

"Very respectfully,

(Sgd.) "L. T. ROHRER,
"Senior Inspector."

This woman, if she succeeded in making 50 earthen jars per week, received wages amounting to 50 centavos against which her creditor charged her food and doubtless also her clothing. In other words, she was in effect charged for the privilege of making 50 jars per week for her master. The interest on her debt was meanwhile piling up while the principal steadily increased, and when she grew weary of her hopeless task and ran away her taskmaster prosecuted her and she was convicted and sentenced to two months in jail and to pay the cost of the suit!

The following letter presents a typical case of peonage:

"ROSALES, *March 26, 1912.*

"CHIEF OF THE SECRET SERVICE DEPT.,
"Manila.

"DEAR SIR: On behalf of Garigorio Almario, a young girl residing at my house, I write to ask you if you cannot have this matter attended to.

"Six years ago a man named Tomas Almario, living at present in Rosales, borrowed some money (twenty pesos only). This man was unable to repay this money so he sold this girl named Inocencia Almario to a Mr. Galban. I think he is the president

of Bautista. Her sister has been to Bautista to take this girl away but she has been rebuked by these people in my presence. They state she owes ₱60.00, the extra ₱40 being interest on the ₱20.00 borrowed 6 years ago. They have got this girl and another girl working as slaves and to-day I heard that the girl escaped in a carromata but they sent an automobile after her and took her into Bautista beating her all the way. In the interest of justice I hope you will have this girl released and hand her over to her sister in my house here out of the hands of those wretches. I also found out that this girl is being sent from place to place amongst men who take girls to cover debts. If you send a man here to Rosales I have the proof and will show you where this girl is and will get the evidence against these people. I understand that the president of Bautista is the man who is at the bottom of the whole affair. I hope you will put a stop to this slavery. I have the man here who owes the money and sold the two girls to this man. I have the sister here; also the other relatives to prove that this girl has worked as a slave for 6 years to cover a debt of twenty pesos and now they want 60 before they will release her. Please release my sister and oblige.

"Yours truly,

"GARIGORIO [her mark] ALMARIO.

"Witness:

(Sgd.) "W. A. COLE.

"Address GARIGORIO ALMARIO,

"c/o W. A. COLE, *Rosales, Pang.*"

For the documents in the following additional cases I am indebted to the Manila chief of police:

"JANUARY 24, 1913.

"On November 11, 1912, Mrs. Pilar Derecho reported the disappearance of Narcisa Candare y Parba, having run away from her employ. Investigation showed that she was working out money advanced to her mother. After leaving Mrs. Pilar Derecho's house, she went to work for Sra. Benigna Rama of No. 109 Calle Santa Potenciana, Intramuros, who called at this office January 24, 1913, and made a complaint against said Narcisa Candare y Parba, for having stolen property to the value of ₱200. Investigation shows that Narcisa worked about two (2) months at this place and as yet has not received any pay. Complainant states reason for not paying salary is that this girl lost a pin valued at ₱30 belonging to the complainant and that the girl was working out the value of the pin at the rate of ₱6 per month, and that on the night of January 23, 1913, she ran away from the house. Investigation still being held."

"JANUARY 24, 1913.

"To whom it may concern:

"This is to certify that I, Pilar Derecho, of No. 87 Calle San Juan de Letran, Walled City, advanced ₱6 to the mother of Narcisa Candare y Parba, with the understanding that her

daughter was to work it out, at the rate of ₱3 per month. The daughter Narcisa Candare y Parba, worked for me five (5) months, then she ran away. I paid her each month; and when she broke anything, I would take it out of her pay. While with me, she had to pay three pesos (₱3) for breakage; one fine looking glass; three drinking glasses; one lamp, and one nursing bottle. The debt of the mother has been paid by the girl working it out. I gave ₱12 to the mother as follows: 1st: ₱6, given to the mother at Cebu; then I mailed ₱6 from Manila, and the ₱3 for breakage, making ₱15 in all the girl earned during the five months with me. I never gave any money to the girl.

(Sgd.) "PILAR DERECHO.

"Mrs. Pilar Derecho reads English."

Just how Mrs. Pilar paid her without giving her money is not clear. A criminal charge was brought against the peon, as usually happens when one endeavors to escape.

"JANUARY 24, 1913.

"Luis (surname unknown), a native of Binangonan, Rizal, borrowed fifty pesos about one year ago from Nicolas Cruz, living in the barrio of Camiogan, Pasig, and is now working out the debt with his wife at the rate of thirty pesos a year for the both of them; the wife washing clothes and Luis feeding and taking care of the horses. This debt is constantly growing instead of diminishing, as thirty pesos a year is not sufficient to buy the clothes necessary for them to wear."

"JANUARY 24, 1913.

"Marcelina Lopez, aged 12 years, charged with vagrancy on September 12, 1912; sentenced by Judge Camus to the Hospicio de San Jose for an indefinite term.

"This girl was turned over to Albina de Bedua by her mother, to work out a debt of twenty-two pesos at the rate of two pesos per month. On account of the abuse, this girl escaped from the house of her employer and was arrested by this department on the above-named charge. On account of the statements made by this girl, charges were filed against Albina de Bedua, and she was fined ten pesos for assault."

Occasionally the unfortunate peon gets a bit of justice, in Manila at least, as in the present instance. While it can hardly have been a pleasure for the peon to have been arrested for vagrancy on the one hand, on the other the mistress was at least fined.

The following is another typical case reported by the chief of police of Manila:

"Lucia de la Cruz, 18 years of age, residing at No. 1609 Calle Sande, had been a servant of Ines Feliciano, 702 Calle Azcarraga,

for two years. She left this house about three weeks ago because Ines Feliciano would not give her the money due her for back salaries. Lucia de la Cruz had not been paid any salary since entering the service of Ines, who claims that Lucia is indebted to her in the sum of ₱120, and had her taken to the Secret Service Bureau for robbery of ₱200. She was later released for lack of evidence. Ines refuses to deliver her clothes—2 skirts, 3 shirts, and 1 tapis.”

It is almost impossible to say where peonage leaves off and slavery begins, and the former naturally leads to the latter as is shown by the following letter from a Filipino Constabulary officer:

“PHILIPPINE CONSTABULARY,
“FIRST PAMPANGA COMPANY,
“Lubao, February 8, 1912.

“The SENIOR INSPECTOR, CONSTABULARY OF PAMPANGA,
“San Fernando, P. I.

“(Thru Company Commander.)

“SIR: I have the honor to submit the following report re abduction and sale of three boys from Cuyo, Palawan.

“Juan Yusoy of Macabebe stated that he just arrived about three weeks ago from Cuyo with Esteban Yusoy of Gapang, Nueva Ecija, bringing with them Pedro Rodriguez, Angel Paganac and Macario Aburot (the educted boys). Juan brot with him Angel and Macario, while Esteban, Pedro.

“Juan further said that Angel was formerly working at the house of Felix San Juan, ex-vice president of Cuyo, for money consideration for which Anacleta Aniar, mother of Angel, took from Felix. In order that Angel might be relished from his former master Felix, she asked Juan to give her ₱25.00, the amount she owned to Felix. After Anacleta delivered the money to Felix, she and Juan made a contract, the understanding of which the latter will bring Angel to his native town Macabebe. A copy of the receipt is in the hand of the Senior Inspector of Pampanga. Macario, the other boy, has almost the same story, except Juan gave ₱10.00 to Jose Aburot, father of Macario.

“Both Angel and Macario are at the house of Captain Salomi Garcia of San Fernando, Pampanga. Capitana Salomi gave Juan ₱63.00 for them. Capitana Salomi was investigated and confessed the fact.

“Pedro is 12 years old; Macario, 10; Angel, 8.

“Macario expressed a desire to return to Cuyo.

“Very respectfully,

(Sgd.) “G. N. LAUREL,
“3d Lieutenant, P. C.”

While the English of Lieutenant Laurel is good considering his opportunities for acquiring that language, the meaning of this communication may be not altogether clear. Briefly, these Filipino boys were being held in peonage, were in effect bought

from the persons who held them, with the consent of the mother in one instance, and were removed hundreds of miles from their homes among a people speaking a language different from their own. One of them was taken by Juan Yusoy to his home in Macabebe and held there, and the other two were sold to Capitana Salomi for ₱63.

The following series of communications tell an interesting and significant story:

“MANILA, *January 22, 1913.*”

“The COMMANDING OFFICER,
“*Precinct No. 4.*”

“SIR: At 1.45 p. m., January 10, 1913, Alejandra Malbarin, Filipina, age 19 years, muchacha, a native of Camarines Norte, came to the station crying and stated that her employer Assemblyman Silverio Cecilio, 193 Calle G. Tuason, had beat her up and did so most every day. Both the girl's legs from the knees down were black and blue and she stated that the rest of her legs and body was beat up worse than the part I had seen. The left side of her face was also black and blue. She also stated that she was working for the above mentioned Assemblyman since last June and so far had received no pay, not even enough to purchase cigarettes. The girl is ignorant and does not know her rights and when I investigated the case I found that the girl was held in slavery and I notified the Prosecuting Attorney Major Bishop and stated the facts to him, and he directed that I send the case to him and that he would take action.

“Very respectfully,

(Sgd.) “JAMES J. SULLIVAN,
“*Sergeant, Manila Police, Precinct No. 4.*”

“MANILA, *January 22, 1913.*”

“The COMMANDING OFFICER,
“*Precinct No. 4.*”

“SIR: On January 10, 1913, Sergeant Sullivan phoned me to wait at the corner of Alix and Bustillos and accompany a native girl he was sending to her employer's house and get her clothes if it was possible, as she did not care to stay there any longer on account of abuse she received. On going to her house her employer stated that she could not have her clothes and that she would have to stay there with him as her father owed him money and that he had papers to show for it. I informed her employer that the girl could go where she pleased; but he said no that her father was in his debt and that the girl was held by him as security for same. I told this man that there was no law in the Philippine Islands at the present time where any person or a member of his family could be held in slavery for debt that other members of the family contracted. He gave me his card stating for me to go ahead and get a warrant out for him. I returned to the station accompanied by the girl and

told the facts to Sergt. Sullivan, who sent me to the Prosecuting Attorney with the girl. After stating the facts to Major Bishop and upon his learning that the man was an Assemblyman, he concluded to drop the case until after adjournment of the Assembly. Captain Seaver came in to the Prosecuting Attorney's Office shortly after my arrival with the girl and the Prosecuting Attorney called his attention to the case. Captain Seaver and I sat at the Prosecuting Attorney's desk while he dictated a letter to the Commanding Officer, Precinct No. 4, after which Captain Seaver directed me to take the girl to the Sampaloc Station and inform the sergeant at the desk to ask sister Paula of the St. Paul's Hospital to arrange for taking care of this girl. Later Sergeant Becker directed me by orders of the Chief of Police to take the girl back to the house of her employer, which I did.

"Very respectfully,

(Sgd.) "CHAS. A. DARNEILLE,
"Patrolman, Manila Police, Precinct No. 4."

[Extract.]

"MORNING REPORT.

"PRECINCT No. 4, *January 11, 1913.*

"At 1.45 p. m., January 10, Alejandra Malbarin, Filipina, age 19 years, a native of Camarines (North), muchacha for Assemblyman Silverio Cecilio, Interior of 193 G. Tuason, reported that her master had beaten her and was holding her in slavery. Patrolman Darneille was sent with the girl to the above address and obtained the above information. Prosecuting Attorney was notified and he directed that the case be turned over to him for investigation. No complaint filed by the Prosecuting Attorney and the girl returned to the home of Mr. Cecilio.

"A true copy:

(Sgd.) "WM. MURPHY,
"Chief Clerk, Department of Police."

"CITY OF MANILA, DEPARTMENT OF POLICE,
"CENTRAL OFFICE, *January 22, 1913.*

"Honorable DEAN C. WORCESTER,
"Secretary of the Interior, Manila.

"SIR: I have the honor to enclose herewith extract from the morning report of Precinct No. 4 in the case of Alejandra Malbarin, report of Sergeant James J. Sullivan, Sampaloc Police, on duty at the desk at the time Alejandra Malbarin presented herself and made complaint at Sampaloc Police Station, report of Patrolman Charles A. Darneille who accompanied the girl to the home of Assemblyman Silverio D. Cecilio in order that she might obtain a change of clothes, also a copy of the letter written by the Prosecuting Attorney to the Commanding Officer, Precinct No. 4.

"Later on in the day the Prosecuting Attorney called me on the telephone and stated that after a thorough investigation of both

sides of the question, he was satisfied that the girl was held in slavery, but as it was impossible to file a complaint during a session of the Assembly, and at my request he agreed to take the matter up administratively and so requested me to return the girl to the home of her master, as it would be easy to secure her as a witness at any time she was required. I therefore directed the girl be returned to the house of Assemblyman Cecilio.

"Shortly after the girl had returned to the house with the patrolman endeavoring to get her clothes, Assemblyman Cecilio called on me in my office and made a complaint against the policeman for entering his house without his permission or without any legal process, and also made a complaint that the girl that left his house had stolen ten pesos. Upon looking into the matter and finding out the nature of the case, I directed him to the Prosecuting Attorney.

"Very respectfully,

(Sgd.) "J. E. HARDING,
"Chief of Police."

"JANUARY 10, 1913.

"To the COMMANDING OFFICER,
"Precinct No. 4, Manila.

"SIR: In reference to the charges against Silverio D. Cecilio, charged with violation of Act 2098 (Labor Law) and also with whipping a girl who was in the house in the capacity of a servant, I do not think it advisable in view of the provisions of next to the last paragraph of sec. 8, of Act 1582, to take any action in the matter. After the adjournment of the Assembly, it might be advisable to pursue the investigation as to the first charge, but it would not do to bring a charge even of a breach of the peace, at this time, as we certainly would be met with a statement on his part that the girl was in his family with the consent of her parents, and that he stood in the place of the father; hence, had a right to administer reasonable corporal punishment. In view of the fact that I cannot file a complaint, I am referring the case back to you in hopes that you can find some proper home for the girl.

"Very respectfully,

(Sgd.) "W. H. BISHOP,
"Prosecuting Attorney."

"CITY OF MANILA, LAW DEPARTMENT,
"OFFICE OF THE PROSECUTING ATTORNEY,
"January 11, 1913.

"To the EXECUTIVE SECRETARY, Manila, P. I.
"(Through the Chief of Police.)

"SIR: I have the honor to advise you that yesterday morning Patrolman Darneille brought to my office a native Bicol girl, apparently 18 years of age. She showed decided signs upon the legs of having been whipped, and she made quite a full statement of the case, but before the completion of the examination it developed that her master, Silverio D. Cecilio, was a member

of the Assembly from Ambos Camarines, so I immediately stopped the investigation and referred the matter back to the Commanding Officer of Sampoloc. Shortly after the girl left my office, Assemblyman Cecilio called, with a charge against the girl of having stolen ₱10, stating that he had a witness who could testify to the fact and that he would bring the witness this morning. At 10 o'clock this morning he called and said that the girl was back in the house and was very penitent for having run away and having stolen his money, and begged that his charges against the girl be dropped, which of course I consented to do, particularly in view of the fact that it is very rare that a servant leaves a house, after violent treatment and makes a complaint against his or her master, but what the latter comes in with a charge of theft.

"Now the most serious phase of this case is this: The Assemblyman says that he brought the girl to Manila as a servant; that he is paying her no wages; that it was to be a sort of educational trip for the girl and that her father had entrusted her to his care because the father was in debt to him. The Assemblyman's statement to the patrolman was even more definite as to the girl working out a debt, than to me. As a matter of fact, if I were in Nueva Caceres, I would certainly pursue my investigation of this case, under the Labor Law, as it has all the appearance of being a flagrant violation of that Act.

"Finally, this is not an isolated case. Such matters are presented to this office very frequently, but there is little we can do, because as a rule the parents are beyond reach, and if we do reach them, the master has been ahead of us and fixed the matter up. It is certainly to be hoped that some arrangements can be made by which these young unfortunate boys and girls can be cared for and sent back to their homes, always, of course, after inquiry as to whether or not the parents can and will care for them, always keeping in mind what is best for the child.

"Very respectfully,

(Sgd.) "W. H. BISHOP."

It will be noted that in this case the usual effort was made to bring criminal proceedings against the unfortunate peon who attempted to escape, and that the net result of the efforts of this poor girl to end the intolerable conditions under which she existed was that she was sent back to the Philippine Assemblyman, her master.

While on my last visit of inspection to the Province of Palawan a complaint was lodged with me against Assemblyman Sandoval, who represents that province in the Philippine Legislature. It was alleged that he had taken a young girl to Manila when he went there to attend the legislative session of 1912, promising to put her in school, but that instead of doing this he had compelled her to work as a house servant; that the girl, dissatisfied,

made her escape and started for her home; that unfortunately for her, the steamer touched at the place of residence of the Assemblyman, who discovered that she was on board, took her off the vessel and caused her to be returned to Manila.

But why multiply cases? I could obtain conclusive evidence concerning a hundred, a thousand, or ten thousand. It is simply a question of time and work.

I have not made the slightest effort to get the peonage records of Philippine Assemblymen, but have taken cases as they came, yet three of the relatively very limited number furnished me concern members or ex-members of the Assembly. Is it any wonder that that body refuses to consider a law prohibiting and penalizing peonage?

Gambling is the besetting sin of the common people of the Philippines. The poor are usually glad to get the opportunity to borrow money, and will do this on almost any terms, if necessary, in order to continue to indulge in their pet vice. They are thoughtless about their ability to repay loans, and thus readily fall into the power of the *cacique* money lenders, who thereafter use them as house servants or laborers, under conditions such as to render their escape from debt servitude practically impossible.

Indeed, if they seek to escape, the *caciques* threaten them with the law, or actually invoke it against them, while if they endeavor to homestead public land and thus better their condition the *caciques* only too often cause opposition to be made to their claims and keep it up until they become discouraged.

If they are ignorant heathen like the Negrito mestizos of Mount Isarog, the *cacique* boldly informs them that the American Government will not allow them to take up land. Such ignorant people, by the way, are often made peons by wholesale. A plan to have 50 Negritos brought down from Mount Isarog to work out a ₱12 debt was quite recently frustrated by an American.

Beginning on page 105 of the appendix will be found official correspondence further describing the conditions which now exist among the Negritos of Ambos Camarines.

On August 7, 1909, Guy Clinton, who was then acting division superintendent of education for the Province of Bataan, wrote to the Director of Education a letter in which he stated that a whole band of Negritos, numbering 122, were "in practical slavery" to two Filipinos named Malixi and Ganzon, respectively. As a matter of fact, the condition of these Negritos was that of peons rather than that of slaves.

Special interest attaches to the letter below quoted, as it relates to conditions at Baler, the birthplace of Sr. Manuel Quezon, who says he is "familiar with the facts" and ought surely to understand conditions at his old home:

"THE MINDORO LUMBER COMPANY, INCORPORATED,
"Baler, P. I., February 6, 1904.
 "BUREAU OF NON-CHRISTIAN TRIBE,
Manila, P. I.

"GENTLEMEN: Would desire to call the attention of your Bureau to the abuses that are being constantly imposed on the Negritos of the vicinity.

"We have here a large number of Negritos south of here, and Illongotes north. I estimated the No. of Negritos at about 400, while the Illongotes it is very hard to get a correct estimate, but as they are more warlike than the Negritos, they are respected and feared by the Negritos. Last year I tried to teach those Negritos to clean hemp, and with that end in view I had a white man in charge of a camp established right on the ground to show them the business, and I paid them at the rate of Pfs. 10.00 per picul. Everything went well until I recalled my man back then the Tagalog went amongst them, and took all their clothing away, prevented them from further working hemp, and made them work for themselves, pounding rice, cutting wood, bamboos, etc., for which they would receive no pay, in fact, they were forced to do the work and are slaves to the Tagalogs. They are very much abused and are in fear of the Tagalogs, and are afraid to do anything which might bring them some pay, as they would be robbed by the Tagalogs. Kindly let me know if there are any remedy for this evil, the Negritos as a rule are peaceable people and inclined to work and have tried to better them with the above results.

"Very respectfully,

(Sgd.) "ALBERT D'ARCY,
"Baler, Principe."

While the conditions described by Mr. d'Arcy constitute peonage rather than slavery, it is perhaps hardly to be wondered at that he failed to distinguish between the two.

Serious as are the conditions relative to slavery and peonage among the people of the non-Christian tribes, they are relatively unimportant compared with those which result from peonage among Filipino laborers, because of the much smaller number of persons involved.

The hard truth is that peonage to-day lies at the root of the industrial system of the Philippines.

After completing so much of this report, I read it to nine of the men who have been longest in the service of the Insular Government and asked for criticism.

Two of them promptly suggested that I had laid undue em-

phasis on the extent to which members of non-Christian tribes were enslaved; or, rather, that I had failed properly to bring out the facts as to the extent to which Filipinos are enslaved by their own people. Each mentioned a number of instances, which had come within his own knowledge, of the selling of Filipinos into slavery for cash. Mr. Frank L. Crone, Assistant Director of Education, subsequently made to me the following statement:

"In the fall of 1903, when the writer was chairman of the election board of Nueva Caceres, certain Chinese with five children were brought into the municipal building. These children had, according to the statements made to me, been purchased by the Chinese for sums ranging from ₱12.00 to ₱23.00. The youngest was three or four years old. Some of them already had their heads sheared, so as to resemble Chinese. Documents in Bicol had been drawn up; they were not translated to me. I talked with some of the parents who were also called to the municipal building. They seemed to love their children, but felt compelled to sell them in order to provide food for themselves or to meet certain debts which they had incurred. These parents seemed to be pleased when they found out that the children were not to go to the Chinese. It was stated at the time that the intention was to ship these little boys to Manila. I was informed that a shipment had been made some time before and that the children had been recovered by the Constabulary at Manila.¹ It was stated that some of these children had been sent to China, but I never went to any trouble to confirm this statement.

"It is a well-known fact that there was a traffic in women in and about Nueva Caceres. This traffic was carried on chiefly in the towns near Nueva Caceres, particularly in those on the other side of the river, where economic conditions were at that time deplorable.

"Many of these young women of course simply entered into prostitution, much as women do in other countries, but there is no doubt that many of them were offered for sale at ridiculously low prices. There was one very noteworthy case of a Filipino who offered a rather pretty daughter for ₱500.00. This offer was made to a large number of Americans in Camarines. The woman was finally purchased by a Spaniard who had an establishment near the town of Tigaon. The ordinary price for girls was a very small fraction of this amount.

"In Camarines there were a number of procurers who acted in a double capacity. They acted as go-betweens for women of easy virtue. They were also agents in transactions which practically amounted to the selling of young girls."

¹ The latter were presumably the children hereinbefore referred to on page 14.

I give the following as a sample peonage contract:

"I, Maximina Capistrano, widow and of advanced age, native of this pueblo of Angat, having Cedula No. 240121, declare before those present, D. Pedro Otayco and D. Antonio Mendoza, likewise residents of this pueblo, that I owe Dña. Filomena Vergel de Dios also of this pueblo, the sum of forty pesos that I spent for my children; and as I have no means of paying said debt, I have agreed to hire to the said Vergel that one of my children, named Florentina, for which service she (Vergel) will allow four pesos the first year, beginning this date, and for the second year there is to be an increase of half a peso. The third year she will allow five pesos, and the fourth year six pesos, and thus until the debt is canceled. But if perchance the girl should be unable to do the work, or should run away or die, then I may pay in money what remains of the debt; or, if I should not have the necessary money, then I will dispose of the services of another child of mine, or otherwise of my own. But, if God should take my life, then she (Vergel) or anyone authorized by her, may at once levy upon my effects, and should there be none, then others of my children will be obliged to serve her or pay the money conjointly, as for them the money was spent.

"Thus it is that in all my promises I have given my word to Vergel to do my duty; and, that it may appear clear, I have had this document written before Otayco and Mendoza as witnesses; and, finally, as I do not know how to write and sign this, José Fajardo will sign it for me, the witnesses likewise signing to certify to what has been agreed upon, and that from this day my daughter Florentina will begin to live with and work for her (Vergel).

"Given this 10th day of January, 1899, at Angat.

(Signed.) "PEDRO OTAYCO.

"ANTONIO MENDOZA.

"JOSÉ FAJARDO."

The attitude of many of the municipalities of the Philippines toward peonage is typified by that of Cagayan de Misamis, which passed an ordinance forbidding a servant to quit his master's employ without the consent of the latter!

Of course, the ordinance was illegal, but Mr. Lawrence M. Jacobs, of the Treasury Bureau, who first reported its existence, pertinently remarked:

"If such an act of the council is illegal what is to be done about it? It may be said, and rightly, that an abused man has recourse to the law. But what does the average man in Misamis Province know about the law? In short, what is the use of giving men rights before the law when they are too ignorant to understand the law—too ignorant to exercise those rights—unless there is some one to protect them in their rights? To have an American judge of the Court of First Instance is not sufficient. A servant of a local official is arrested and thrown

in jail. After a time he may be tried before a justice of the peace, convicted and sentenced. The law under which he was convicted is illegal. The man has an appeal, but what does he know about appeal?

"I believe a man with legal training is more needed on Provincial Boards than one who is an engineering expert."

I have been especially interested by the comments in the Filipino and the American press, evoked by the rather premature reading, in the United States Senate, of my letter furnishing information requested by the President of the American Humane Association—premature not because the statements contained in this letter were of a private nature, but because, if to be transmitted to the Senate, they should have been supported by much detailed information which was not given.

It has been claimed in the local native press:

That there is no slavery in the Philippines. I have already discussed this contention.

That slave gangs do not labor in the Philippine fields under the lash of the driver. This is strictly true.

That slavery is rare. It is rarer than theft. So is murder, but that is no reason for failing to penalize the one crime or the other.

That such slavery as exists is to be found only in the special government provinces under the executive control of the Secretary of the Interior, who must be responsible for its continued existence. The first of these statements is grossly false. The large majority of slaves are held in the regularly organized provinces. As regards the second, I can neither enact laws nor control the courts. Now, that I have secured the passage of adequate legislation prohibiting and penalizing slavery, peonage, and the sale and purchase of human beings in the territory under the legislative jurisdiction of the Commission, I am still obviously just as powerless personally to prevent the occurrence of cases of slavery as I am to prevent the occurrence of cases of murder.

As it has further been charged that I have only at this late day developed an interest in this subject and that my action is merely a sharp move made for political effect alone, I deem it necessary here to outline my past activities. I have already called attention to the fact that I took it upon myself to draft and submit the Act passed by the Commission, although this work had not been allotted to me. When the Philippine Commission passed this Act and the Philippine Assembly tabled it, I included the following in my next annual report, which was for the fiscal year ended June 30, 1909:

"Failure to secure legislation prohibiting slavery, involuntary servitude, peonage, or the sale of human beings in the Philippine Islands.

"Having discovered to my amazement that there was no law in the Philippine Islands prohibiting the sale of human beings, and impressed with the necessity of providing legal remedy for existing conditions as regards slavery, involuntary servitude, peonage, and the sale of human beings, I drafted, and the Philippine Commission passed, the following act:" (There follow the title and text of the act referred to.)

"I regret to state that this act failed to pass the Philippine Assembly.

"The stealing or the purchase of children of members of non-Christian tribes is lamentably common. On my last visit I found at the house of Lieutenant-Governor Villamor a bright little Negrito girl eleven years of age who had been sold to a Christian native by her parents, who were starving, for a cavan of palay (unhusked rice), worth about ₱3.00. Lieutenant-Governor Villamor, on learning the facts, took her away from her purchaser on the ground that as she had served him for two and a half years she had certainly repaid him for her cost. This infamous practice is carried on under the guise of *Christianizing* the children of the wild men.

"If the conditions thus brought about are bad, those due to the peonage in which very numerous families, not only of the wild tribes but also of the more ignorant Christian peoples, are held by people of a certain class in these Islands, are worse and undoubtedly call for remedial legislation.

"I recommend that at the next session of the Philippine Legislature this Act be again passed by the Commission, and that a strong effort be made to secure its passage by the Philippine Assembly. In the event that the Assembly should refuse to pass it, I recommend that the Congress of the United States be requested to enact suitable legislation, supplementing and making effective the provision in its Act of July 1, 1902, to the effect, 'that neither slavery, nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said Islands.'"

This matter did not meet with the approval of Colonel Frank McIntyre, at that time Assistant Chief of the Bureau of Insular Affairs. It was submitted to the Secretary of War with a memorandum setting forth what Colonel McIntyre deemed to be its objectionable features, and further setting forth his view that existing provisions of criminal law effective in the Philippines were adequate to prevent the evils complained of. This memorandum was signed "Edwards," but in a letter to me dated January 13, 1913, General McIntyre made the following statement concerning it:

"I had intended writing to you some time ago partly by way of confession. We received your criticism of the memorandum

signed 'Edwards' with reference to slavery in the Philippine Islands. General Edwards is not with us now and I do not wish him to bear the burden of your criticism. I, myself, in the first instance was the father of that document of which you think so little."

Had General McIntyre's view as to the adequacy of existing legislation been correct, his argument would have been hard to answer. The Secretary of War had no reason to think it incorrect and I was not then even aware of its existence. As a result of it the elision of this portion of my report was arranged for without my knowledge, through the following cablegrams:

"MANILA, Jan. 22, 1910.

"FORBES, *Manila*.

"Referring to the Annual Report of Dean C. Worcester, we are inclined to the opinion that reference to slavery in the Philippines is unwise. It would create false idea here and would naturally offend Philippine Assembly. We are of the opinion that its omission would greatly improve report. Please suggest this to him and cable your views and his.

"MCINTYRE."

"MANILA, Jan. 26, 1910.

"SECWAR, *Washington*.

"Referring to telegram from your office of the twenty-second instant, Dean C. Worcester is absent inspection tour but have already his authority to modify his report and agree it is advisable to cut out this reference. Report will end with word Isabela at the end of article on the Province of Nueva Vizcaya.

"FORBES."

I had been obliged to leave Manila before the Commission had considered my report, and had authorized the Governor-General to make changes in it, having in mind minor matters which might be suggested by my colleagues. This important passage was cut out and upon my return I was informed of what had occurred. I thereupon sent the following memorandum to the Governor-General:

"BAGUIO, February 28, 1910.

"*Memorandum for the Honorable the Governor-General.*

"Practices in the matter of purchasing and practically enslaving the children of wild people, and holding wild people in the state of peonage, closely approaching slavery, are more grave and more common than is ordinarily understood here; and, in my opinion, as stated in my report, ought to be brought to the attention of the Congress of the United States if the situation is

not dealt with effectively by the Philippine Legislature at its next regular session.

"I do not object to the omission from my report of the matter treating on this subject, with the understanding that a strong effort will be made here to secure legislation which will, at least, penalize the sale for cash or other valuable consideration of human beings.

"As things stand at present, we should be placed in a somewhat embarrassing situation if anyone thoroughly acquainted with the facts were to ask us what we had done to make effective the provisions of the Act of Congress prohibiting slavery.

"DEAN C. WORCESTER,
"Secretary of the Interior."

In my report as Secretary of the Interior for the year ended June 30, 1910, I again took up this important subject. All matter pertaining thereto was cut out, ostensibly by order of the Secretary of War, although I now hold a personal letter from Mr. Dickinson stating that he cannot remember having dealt with the matter.

I was in Washington at the time, but the "Edwards" memorandum was not shown to me, nor did I ever see it or hear of it until there was forwarded to me by Acting Governor-General Newton W. Gilbert a letter from Colonel McIntyre dated August 1, 1912, which reads as follows:

"WAR DEPARTMENT,
 "BUREAU OF INSULAR AFFAIRS,
"Washington, August 1, 1912.

"My DEAR GOVERNOR: I have had a long talk with Mr. Quezon this morning and I thought it well to place before you several matters, some of which he regarded as Philippine grievances under the present government.

"He called my attention to the fact that Governor Forbes had in a speech delivered in Boston very seriously criticised the Philippine Assembly for not passing a bill which had been passed by the Commission prohibiting slavery and the sale of human beings in the Philippine Islands.

"We have felt in this Bureau that the Commission had been a little unfair in dealing with the Assembly in this matter of prohibiting slavery. This was taken up in 1909 and a cable was sent January 22, 1910, with reference to the omission of this discussion from a report of Commissioner Worcester. I inclose a copy of the memorandum which was not sent to the Islands at the time largely because it was believed that the points brought out in the memorandum were well known to all members of the Commission in the Philippine Islands.

"If this memorandum is not a fair statement of the case I should like to know about it. I have looked up the decision in

which Judge Tracey indicated the necessity of some legislation on this subject but his opinion was not very convincing to me.

"Sincerely yours,

(Sgd.) "FRANK MCINTYRE,
"Colonel, U. S. Army,
"Assistant to Chief of Bureau.

"Hon. NEWTON W. GILBERT,
"Acting Governor-General of the
"Philippine Islands, Manila, P. I."

As this communication was sent to me with a request for comment, and as the memorandum in question was in my opinion very far from being "a fair statement of the case," I wrote a letter to the Acting Governor-General replying to the arguments there advanced and stating definitely and specifically that slavery exists in these Islands. The memorandum and my reply thereto will be found in the Appendix beginning on page 108.

On May 1, 1913, the United States Senate passed a resolution reading:

"Resolved, That the Secretary of War be, and he is hereby, directed to send to the Senate any and all facts bearing directly or indirectly upon the truth of the charge publicly made that human slavery exists at this time in the Philippine Islands and that human beings are bought and sold in such Islands as chattels."

The reply addressed by the Secretary of War to the President of the Senate on May 6, 1913, contains the following statement:

"There is not in this Department, to the knowledge of the Secretary thereof or of the head of the Bureau having charge of insular affairs, a record of any facts bearing directly or indirectly upon the truth of the charge, publicly made, that human slavery exists at this time in the Philippine Islands and that human beings are bought and sold in such Islands as chattels."

I do not know whether the passage above quoted which was cut out of my 1909 report as Secretary of the Interior was considered to bear either directly or indirectly upon the truth of the charge in question, but it was, at all events, on file in the Bureau of Insular Affairs, as presumably was the one cut out of my 1910 report.

My letter of October 28, 1912, addressed to the Acting Governor-General, and duly forwarded by him to Washington, in which I replied to General McIntyre's memorandum, contains the following statements among others:

"The first criticism reads as follows:

"First, That it creates the impression that slavery, involuntary servitude, peonage, and the sale of human beings are com-

mon in the Philippine Islands, have legal recognition, and cannot be prevented under existing law.'

"Involuntary servitude and peonage *are* common in the Philippines. Slavery and the sale of human beings are also common, not only in certain portions of the wild man's territory under the exclusive legislative jurisdiction of the Commission but in Palawan, and are by no means very rare in general in the territory occupied by Filipinos which borders on the territory occupied by non-Christians. But even if they were rare throughout the Philippines, the argument advanced by Edwards would no more be logical than would an argument against an act prohibiting and penalizing murder on the ground that it was not a *common* crime. The important question is not whether the acts provided against are committed frequently or infrequently but whether they are good or evil. If evil, they should obviously be adequately provided against.

"I do not wish to be understood to imply that slavery, involuntary servitude, and the sale of human beings are limited to the above-described territory.

"It is but a short time since the wife of an Englishman living on the outskirts of Manila was offered a Negrito child which was brought to her home for sale as a pony or a carabao would have been brought.

"I am now trying to find in Manila one of two Negritos who, some time since, were kidnapped in the province of Bataan, having first been made drunk with vino; were then tied up and taken into the province of Pampanga; and were afterwards sold in the province of Batangas. Ultimately, both of them escaped from their purchasers. One of them has made his way back to his old home in the mountains of Bataan. The other is believed to have been detained on the way, and to be held at the present time in the city of Manila.

"I see nothing in the enactment of a law prohibiting slavery, involuntary servitude, peonage, or the sale of human beings, which could logically lead to the belief that these practices have *legal recognition* in these Islands, but it is *true* that they cannot be effectively prevented under existing law."

Some of these statements seem to me to bear somewhat directly upon the truth of the charge that slavery exists in these Islands. They were on file in the War Department, unless thrown away or filed elsewhere, for General McIntyre acknowledged to me the receipt of the document containing them.

In my report as Secretary of the Interior for the fiscal year ended June 30, 1911, I again took up this subject. After this report had been submitted to the Commission I myself cut out all mention of slavery at the request of Governor-General Forbes, who urged that we make a last effort to get the Assembly to act before appealing to Congress.

In my report for 1912 I once more discussed the subject, send-

ing the document to the printer without awaiting possible further requests or orders that I again remain silent. The present report is the logical and necessary sequel to the recommendation there made that if the Assembly again failed to act the matter be brought to the attention of Congress, and is intended to furnish proof of the necessity for Congressional action.

In preparing it I have not received the assistance to which I feel that I was entitled.

For merely stating the bare fact of the existence of slavery in the Philippines I have been publicly denounced as a liar, actuated by unworthy political motives, and my removal has been loudly demanded. Warned by my personal experience, the timid and the politic have refused to give information in their possession, or have insisted that their names be concealed.

At the outset I determined not to use evidence in connection with which I was not at liberty to give the names of witnesses. A responsible employee of the Government who reports the sale of a Negrito slave in Pampanga during the third week of February, 1913, says:

“It is requested that my name be mentioned in no way in this case. I promised my informant his would not be.”

Another highly paid employee who reports three cases of peonage says:

“In making these reports, the undersigned understands that his name is to be withheld *absolutely* in all matters pertaining to them hereafter, and that further investigations, if any, are to be made by others.”

Another who furnishes really important information says:

“I respectfully submit the following general narrative of what my conclusions are, drawn from general observation and from cases personally noted by me, but in doing so, shall omit names for two reasons: First, I do not remember the names in most instances, and second, I do not desire to go on record as having given any direct evidence that would subject me to the annoyance of being called before investigating committees or being required to submit proofs, etc.

“I believe that almost every person who has resided in the Islands for any length of time and who has been associated to any extent with the Filipinos, is aware of the fact (of the existence of slavery and peonage.—D. C. W.), and that a careful investigation into the matter would soon convince the most scrupulous that such things do really exist in certain forms. The securing and furnishing evidence of their existence, I believe to be police work.”

Unfortunately, the Director of Constabulary, which is the police force of the Islands, was found in the ranks of the "politic" and the timid. I asked for all Constabulary records relative to slavery and received half a dozen typewritten pages concerning two sets of cases with a statement that nothing more could be found. This, too, when there were actually on file documents like Senior Inspector Sorenson's report (appendix, page 85). I have been extracting information from the Constabulary files ever since with forceps.

I asked for reports from Constabulary officers now in the provinces relative to slavery in their territory. A number were forwarded by the Director marked "Confidential." Finally, the report of a case of peonage dated June 5, 1910, came in with the following indorsement signed "For the Director" by Colonel J. G. Harbord, who merely carried out instructions:

"Respectfully forwarded, through the Honorable the Secretary of Commerce and Police, to the Honorable the Secretary of the Interior.

"It is requested that the interests of the Constabulary be guarded by considering as confidential the source of this information."!

As the Constabulary is an armed force of nearly 5,000 officers and men, I had supposed it able to guard its own interests in such matters. While it is, of course, often an unpopular thing to tell the truth, if one may not use the reports of police officers in demonstrating the existence of crime, what may one use?

In justice to the present Acting Director of Constabulary and to the officers of that force I must say that the former does not object to the free use of Constabulary reports on slavery signed by those who wrote them, and that I am convinced that the very large majority of the latter would gladly assume responsibility for any statements made by them on this or any other subject.

The attitude of the Insular Auditor and some of his subordinates has also been worthy of note. Being reliably informed that a number of district auditors could give important evidence, I requested the Auditor to obtain for me such proof as he could get. On March 14 he wrote me, saying:

"MY DEAR MR. SECRETARY: I am slowly gathering up information in relation to slavery. It is taking up more time than I thought it would owing to the fact that each district auditor finds it necessary to make investigations to get concrete cases in hand. I have some very important communications at this time that might be forwarded, but I think it best to gather them all together and then make a statement to you of the entire matter

in a report so that you will have it all before you. I take it you will not want it piecemeal when it comes to you, but that you will want it so that you can have the entire source of information at hand.

"Your truly,

(Signed) "W. H. PHIPPS,
"Insular Auditor."

In my reply to this letter, dated March 17, I said:

"While I should be glad to have a connective report from you on this subject, and hope that you will not give up the idea of preparing one, I should particularly like to see the nature of the information which you are receiving and suggest that if you have copies of documents already in hand you send them to me, or, in the event that you have not, you send me originals and I will have copies prepared here and return the originals for use in connection with your final statement.

"Thanking you very much for the interest you are taking in this matter, I am,

"Sincerely yours,

(Signed.) "DEAN C. WORCESTER."

On March 24 he wrote me as follows:

"MY DEAR MR. SECRETARY: I have yours of March 17th in relation to the report I am preparing in relation to slavery in the Philippine Islands. I have not received this information as rapidly as I thought I might. I have some concrete cases in hand but most of the statements I have received are general in character. The reports which I have received seem to avoid giving personal instances to quite a large extent. I think they fear they will be compelled to produce proof of their declarations in court. I have been assuring them that such is not the case and the communications that I have received which give concrete instances have been given under the strict assurance that the author of the report would not be made public for the reason that they fear it will injure them in their work in the provinces and I have no doubt but that it would to quite an extent.

"I will be in Baguio within a short time and will then discuss with you the entire subject and show you what reports I have received.

"Yours truly,

(Sgd.) "W. H. PHIPPS."

The Auditor came to Baguio, but he did not call on me, nor discuss the subject, nor show me any reports. He delayed forwarding his report until after mine had been sent in and then addressed it to the Secretary of War through the Governor-General! It is important. I hope that the Commission and Congress may see it.

I can only express my appreciation of the courage of the men

who have not shrunk from the unpleasant duty of testifying to disagreeable truths, nor sought to avoid responsibility for their statements. I believe that this appreciation will be shared by the very large majority of their fellow countrymen here and in the United States. I shall regret it if any of them are compelled to share the odium felt by many Filipinos toward me for my long-continued effort to prevent slavery, peonage, and the sale or barter of human beings in the Islands.

It has been stated over and over in the native press that many persons who have been purchased, and are held as chattels, and compelled to labor without compensation other than food and clothing, are treated with kindness by their masters and hence are not slaves! Some such persons have been treated with the utmost kindness, educated, and set free. Others have been treated with incredible brutality. All were slaves, and slavery fosters brutal treatment. In my opinion, instances of harsh treatment have become more rare of late for the reason that abuse has led to efforts to escape on the part of the slaves, and owners are fully aware that they can not legally prevent them from running away.

The commonest contention of all has been that if slavery did exist in the Philippines, or any part thereof, the Commission alone was to blame, as it had abundant time to pass an anti-slavery law during the period while it was the sole legislative body of the Islands. I have shown that as long ago as 1903 provision was made by the Commission first for the amendment of the Spanish Penal Code, and later the drafting of a special act, but that before this was done an attorney-general advanced the theory that the typical specific cases presented for his consideration could be dealt with under existing provisions of law. I have also shown that efforts to secure conviction under these provisions failed miserably after consuming some two years; that the Philippine Legislature, with the Assembly as its lower house, was then about to meet for the first time; and, finally, that the Commission has now patiently and vainly sought, through four long years, to secure the coöperation of the Assembly in the passage of an antislavery law and has failed on four several occasions. There is at all events no room for doubt as to where the responsibility has lain during this period and still lies. The Assembly has never even deigned to discuss any of the bills prohibiting and penalizing slavery, peonage, and the sale of human beings passed and sent to it by the Commission, much less to investigate facts, plenty of which I should have

been glad to furnish its members at any time since its organization.

Before closing my comment on the attitude of the press and that of certain individuals relative to slavery in the Philippines, I must with regret call attention to an extraordinary communication addressed to the editor of the New York Times by Ex-Justice James F. Tracey, who states, doubtless truly, that he wrote the opinion of the Supreme Court in the Tomás Cabanag case and adds that he feels it incumbent on him "to promptly call attention to the substance of this decision."

Because of the deservedly high standing of Judge Tracey as a jurist, and of the very wide publicity that has been given to his recent statements through the public press, I will here answer them fully even at the cost of some repetition.

No thinking person can deny that the essential "substance of this decision" was that part of it which clearly set forth the fact that "there is no law applicable here, either of the United States or of the Archipelago, punishing slavery as a crime." Yet in the article referred to Justice Tracey fails to so much as mention this, its fundamentally important feature, or any other features of it whatsoever, except the following:

"The record before the Court shows not that slavery existed in any form throughout the Philippine Islands, but only a custom of child servitude or apprenticeship in certain mountain regions."

"The opinion says:

"It is proved in the case that it is an Igorot custom to dispose of children to pay the debts of their fathers, the transaction in the native language being termed a sale, and the defendant appears to have engaged in the business of buying in Nueva Vizcaya children to sell in the lowlands of Isabelá. * * *

"The name applied to it by the custom of the Igorots is not enough to establish that in truth and in effect it was a sale, or anything more than a contract for services. * * *

"The employment or custody of a minor with the consent or sufferance of the parents or guardian, although against the child's own will, cannot be considered involuntary servitude.'"

Immediately after the passage above quoted from the decision, Justice Tracey adds in his newspaper article:

"It is likened to an indenturing of children, in accordance with custom, unprotected by statutory safeguards."

So far as I am aware, no one has ever claimed that "slavery existed in any form *throughout* the Islands." I certainly never have. This was not the question considered by the court, nor was there any record on the matter before it. No testimony

on the subject was taken either in the Supreme Court or the Court of First Instance which tried the case, and the allegation of Judge Tracey, while strictly true, is hardly disingenuous.

I have great respect for his knowledge of the law, and when his colleagues of the Supreme Court accepted and made theirs his statement that "there is no law applicable here, either of the United States or of the Archipelago, punishing slavery as a crime," I believed, and I still believe, that the last word on this subject had been said.

I have no respect whatever for his knowledge of the non-Christian tribes of the Philippines. He does not even know their names, and his ignorance of their customs is so comprehensive as to embrace practically all that there is to be known. Had he not precipitately rushed into print, adopting the absurd hypothesis that my charges "relative to slavery in the Philippines were largely based on the decision of the Supreme Court" of the Philippine Islands in the Tomás Cabanag case; had he not republished portions of the opinion of the court relative to "Igorot" customs; and had he not compared the sale of human beings into slavery to "an indenturing of children," and specifically described it as a custom of child "apprenticeship," I should have refrained from saying that he is unfit to discuss the customs of the wild people or the prevalence of slavery, because of his complete lack of accurate and comprehensive information concerning these matters.

Had he possessed the slightest familiarity with local conditions or even with the geography of the region in question, he could not possibly have included in his draft of the Supreme Court decision the words:

"To sum up this case, there is no proof of slavery or even of involuntary servitude, inasmuch as it has not been clearly shown that the child has been disposed of against the will of her grandmother or has been taken altogether out of her control."

The child had been taken long days of travel through a portion of the Province of Nueva Vizcaya, where travel was then excessively dangerous on account of the activities of the murderous Silipan Ifugaos, who have been shown in this report to have killed other slaves and their guards while in transit. She was not held in any of the "certain mountain regions," but in the great hot lowland plain of Isabela. She was surrounded by people of an alien race whose language she did not understand. Other slaves who had attempted to escape from this same vicinity had been pursued and captured by municipal police, returned

to their owners, and threatened with death if they again ran away. Other slaves had been warned that the Americans would shoot them if they tried to run away. The severance of relations between this 13-year-old girl and her grandmother was to all intents and purposes as complete as if she had been transported to central Africa. Incidentally, the claim that there was anything resembling apprenticeship or indenturing in this case was negatived by the fact that she had been sold twice after leaving the custody of her grandmother. She was held as a chattel.

So far as concerns its not having been clearly shown that the child had been disposed of against the will of her grandmother, the court found that she was bought in the first instance from her mother; that when the Ifugao man Buyag came to the house and took her to his home the grandmother objected saying, "Don't take off that little girl;" that she had first returned occasionally to her grandmother's house, but when she was taken away for the last time before her enforced journey into the lowlands the grandmother was angry and did not wish her to go but did not prevent her. How in the name of common sense could this poor old woman have prevented a husky Ifugao fighting man from taking away a child whom he had bought and paid for in a country where might was right, and where American authority had not then been established? A rudimentary knowledge of the customs which prevailed among the Ifugaos at that time would have taught Judge Tracey that any active effort to prevent this man from taking possession of the property he had purchased would have cost the grandmother her life.

The extraordinary contention included by Judge Tracey in this decision that the fact that the transaction made in accordance with "Igorot" customs of disposing of children to pay the debts of their fathers is termed a sale is not enough to establish that in truth and in effect it is a sale or anything more than a contract for services, is hardly worth discussing. Such a transaction may safely be considered to be what it is called unless there is evidence to show that it is something else. There was not a scintilla of evidence to show that in this instance there was anything amounting to an apprenticeship or indenturing, and there was very strong proof that this was not the case in the fact that the individual who took this girl away from her people gained rights over her which were twice thereafter disposed of for cash. Is it not the height of absurdity to suppose that she was apprenticed to Buyag, who bought her from her

mother and took her from her grandmother; was by him apprenticed to Tomás Cabanag, of whom Judge Tracey wrote in his decision: "Not even the abhorrent species of traffic apparently carried on by the accused justifies a sentence not authorized by law;" was by him apprenticed to Mariano Lopez, who paid ₱200 for her; and finally, although held by this man in a distant Christian province, remained under some sort of control of her grandmother?

Incidentally, what did the Judge mean by inserting the word "traffic" in this decision. If the case was merely one of child apprenticeship, why was it "abhorrent;" and if "abhorrent," is not legislation needed penalizing it?

Judge Tracey and his colleagues lived and worked in Manila. When this decision was written no one of them had ever set foot in Nueva Vizcaya, much less in the territory of the Ifugaos. My acquaintance on the ground with the people of that tribe began in 1903, and one year excepted, I have traveled in their country extensively annually ever since, making a special study of their customs. I have known of numerous cases of straight out and out sale of Ifugao children to Christian Filipinos. I have never known of a single case of anything approximating apprenticeship or indenturing. Far be it from me to deny that such case or cases may exist, but this was not one of them. Had it been, it would have been the very rare exception, not the rule, and would have had no bearing on the question of Ifugao custom relative to the *sale* of children.

Judge Tracey says:

"It is stated in the letter 'there are Negrito slaves held to-day in the city of Manila. If this is so, their liberation can be enforced any day through a writ of habeas corpus.'"

How, when they will without exception declare that they desire to continue to serve their present masters, on the one hand, and will run away at the first good opportunity, on the other! Would setting them at liberty bring to life parents killed when children were captured? Make children desirous of returning to parents whom they have not seen since babyhood? Fit them for the wild life of their fellow-tribesmen which they have never experienced? Make up to them for long years of abject servitude which have unfitted them to stand alone? Or in any other way undo the wrong perpetrated on them when they were taken from their homes and sold as human chattels? Will the custom of buying and selling Negrito children be discontinued if the

worst thing that may result from indulging in it is the loss of the slave if the purchaser chances to be found out, while the vendor goes unpunished even then?

Judge Tracey states that he does not know of such a condition of things as I describe in the city of Manila, although he resided there for some years in an official position. I can hardly be held responsible for what he does not know. I may add that I did not know the facts myself until I utilized the police department of the city to obtain them, a thing which, I fancy, the Judge never did. Slave holders do not here advertise themselves as such.

Admitting his further contention that—

“The condition must be exceptional and abnormal, as it is illegal, existing in the Islands, as phrased by Gen. McIntyre: ‘Just as crime exists everywhere.’”

is it not desirable that this crime should be both illegal and *punishable*, a condition which, as the Judge has clearly set forth in the decision in question, does not now exist?

Far from basing my charge that slavery exists here largely on the decision of the Supreme Court in this isolated case, as Judge Tracey says I have done, I have based it on the following abundantly proven facts:

Negritos, Ifugaos, Manobos, Mandayas, Moros, Tagbanuas, and Filipinos have been captured by armed men who, in order to obtain them, killed their parents or other natural defenders, and have subsequently been sold as chattels, held as chattels, and compelled to render services for which they were not paid.

Members of all the above-mentioned tribes, as well as Christian Filipinos, have been kidnapped and subsequently sold, held, and required to render services as above.

Negritos, Ifugaos, and Christian Filipinos have been bought outright for cash from their parents or other near relatives, and sold, held, and required to render services as above.

Filipino slaves have been shipped to China. Filipino school children have been secretly enticed from their homes by false promises of education and remuneration, and have been sold into slavery and peonage.

While there has been much noise about slavery, there has been profound silence relative to peonage, which, in the Philippines, is by far the greater evil of the two, because of the very large number of persons who suffer from its prevalence. It is to be hoped that this silence will soon be broken, and that we may hear

from Sr. Quezon, Judge Tracey, and the native press on this most important subject.

It is universally conceded that the sale of human beings is not *per se* punishable as a crime in the regularly organized provinces of these Islands.

Without hesitation I assert that the existence of slavery and peonage in the Philippines presents the greatest single problem which there confronts the Government of the United States, in its effort to build up a respectable and responsible electorate and to establish representative government.

Shall human flesh be openly bought and sold under the American flag?

Must the constitutional provision of the Philippine Bill that "neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said Islands" remain inoperative because the Assembly refuses to pass the necessary suppletory legislation to give it effect criminally, or will the Philippine Commission bring the facts to the attention of Congress and request that body to act?

Respectfully submitted.

DEAN C. WORCESTER,
Secretary of the Interior.

TO HIS EXCELLENCY THE GOVERNOR-GENERAL,
Manila, P. I.

APPENDIX.

No. 8.—AN ACT DEFINING THE CRIMES OF SLAVE HOLDING AND SLAVE HUNTING, AND PRESCRIBING THE PUNISHMENT THEREFOR.

(As amended and approved by the Philippine Commission, November second, nineteen hundred and three.)

By authority of the Philippine Commission, be it enacted by the Legislative Council of the Moro Province, that:

SECTION 1. Every person who buys, holds, sells, or otherwise disposes of any person as a slave, or who directly or indirectly causes any person to be held in involuntary servitude, except as provided by law, is guilty of slave holding, and upon conviction shall be imprisoned not more than twenty years and be fined not more than ten thousand pesos, Philippine currency.

SEC. 2. Every person who buys, captures, abducts or receives any person with intent to sell or otherwise dispose of such person as a slave, or to cause such person to enter into involuntary servitude, or who knowingly aids or abets the recapture or detention of any person escaped from slavery for the purpose of returning such person to a condition of slavery or involuntary servitude, or who knowingly owns or is employed upon or has any interest in any vessel used or employed in the transportation of any person for the purpose of causing such person to enter into slavery or involuntary servitude in the Moro Province or elsewhere is guilty of slave hunting, and upon conviction shall be imprisoned for not more than twenty years and be fined not more than ten thousand pesos, Philippine currency.

SEC. 3. Any vessel employed with the knowledge and consent of the owner in the transportation of any person from or into the Moro Province, or within the limits of the same, for the purpose of disposing of such person as a slave or of causing such person to enter into involuntary servitude in the Moro Province or elsewhere, and any property, shelter, subsistence, arms, animals or equipments employed with the knowledge and consent of the owner, in the trafficking in, hunting, capturing or recapturing slaves, shall be subject to confiscation, and upon due proof before the proper court and after due sentence shall be sold at public auction. The proceeds of such sale constitute a part of the funds of the Moro Province.

SEC. 4. Nothing in this act shall be construed as countenancing or recognizing the legality of slavery or involuntary servitude as heretofore existing in the Moro Province, or as exempting or excusing any person who may have heretofore committed any of the acts defined and punished in this act as slave holding or slave hunting from prosecution and punishment under the laws of the Philippine Islands.

SEC. 5. Subject to annulment or amendment by the Philippine Commission, this act shall take effect on its passage.

Enacted, September 24, 1903.

**TYPICAL CASES OF VIOLATION OF THE MORO PROVINCE
ANTI-SLAVERY LAW FROM THE COURT RECORDS OF
SAID PROVINCE.**

On April 19, 1904, the Moro Alan was convicted of having violated the Anti-Slavery Law by sequestering a Moro girl named Cabala in order to make a slave of her and was sentenced to twelve years imprisonment. (Criminal case No. 31, District of Zamboanga.) A fine of ₱500 was imposed on this man, while the Moros Milajan and Tangigi were sentenced to ten years imprisonment and a fine of ₱100 each.

On September 7, 1904, a Bagobo named Obo was convicted of having violated the Anti-Slavery Law by purchasing, possessing, and disposing of one Dumancal as a slave. (Criminal case No. 40, District of Davao.)

On November 7, 1904, a Moro man named Batu was convicted of having violated the Anti-Slavery Law by capturing and carrying away a Moro woman named Lalia with the intention of selling her as a slave, which he later actually did. (Criminal case No. 28, District of Sulu.)

On March 25, 1905, a Moro man named Javing was convicted of having violated the Anti-Slavery Law by holding as a slave a Moro man named Tutu, his wife called Patima, and his four children called Napala, Daulan, Adajali, and Malija. (Criminal case No. 78, District of Zamboanga.)

On March 8, 1905, a Moro man named Valentin was convicted of having violated the Anti-Slavery Law by holding a girl called Dugunayan as a slave. (Criminal case No. 49, District of Davao.)

On November 22, 1905, a Moro man named Hadjee Asmail was convicted of having violated the Anti-Slavery Law by taking three Moros and capturing a Moro woman named Incung who was held to be sold as a slave. (Criminal case No. 26, District of Sulu.)

On August 9, 1906, a Moro named Ampan was convicted of violating the Anti-Slavery Law by capturing a Moro man named Tagusú and holding him as a slave. (Criminal case No. 107, District of Lanao.)

On August 8, 1906, two Moros named Magumpara and Magaling were convicted of having violated the Anti-Slavery Law by capturing as slaves Gamba and Tabilaran. (Criminal case No. 106, District of Lanao.)

On August 7, 1906, a Moro man named Campung was convicted of having violated the Anti-Slavery Law by selling as a slave a Moro woman named Bacudi. (Criminal case No. 104, District of Lanao.)

On August 7, 1906, a Moro named Pasagui was convicted of violating the Anti-Slavery Act by buying a Moro woman named Abacudi as a slave. (Criminal case No. 105, District of Lanao.)

On August 7, 1906, a Moro chief named Sanco was convicted of violating the Anti-Slavery Act by buying two Moro men

named Sampiri and Siryat as slaves. (Criminal case No. 102, District of Lanao.)

On February 12, 1907, a Moro named Bambang was convicted of violating the Anti-Slavery Act by capturing two Moros named Garuda and Tabilaman in order to sell them as slaves. (Criminal case No. 120, District of Lanao.)

On August 7, 1907, a Moro named Murodan was convicted of violating the Anti-Slavery Act by buying a woman named Talama as a slave. (Criminal case No. 71, District of Cotabato.)

On August 7, 1907, three Moros named Guimbbangan, Morega, and Gwam were convicted of violating the Anti-Slavery Act by selling a Moro woman known as Talama, referred to in the previous case, as a slave. (Criminal case No. 72, District of Cotabato.)

On April 17, 1908, a Moro named Atucan was convicted of violating the Anti-Slavery Act by selling a woman named Dudahan as a slave. (Criminal case No. 8, District of Lanao.)

On August 16, 1907, two Moros named Umpara and Bansil were convicted of violating the Anti-Slavery Act by selling a Moro named Liba as a slave. (Criminal case No. 133, District of Lanao.)

August 16, 1907, two Moros named Amay and Saumayang were convicted of violating the Anti-Slavery Act by selling a Moro named Bansil as a slave. (Criminal case No. 134, District of Lanao.)

On August 19, 1907, a Moro named Macalangut was convicted of violating the Anti-Slavery Act by buying two Moros named Sandat and Alanga for whom he paid ₱5. (Criminal case No. 138, District of Lanao.)

In numerous other cases conviction was not secured because of the inability to secure witnesses who would testify to facts which were well known, or because of the sudden and complete disappearance of witnesses with knowledge of the facts who were willing to testify.

**REPORT OF SENIOR INSPECTOR SORENSON, P. C., ON SLAVERY
IN THE PROVINCE OF ISABELA.**

CONSTABULARY OF ISABELA,
OFFICE OF THE SENIOR INSPECTOR,
Ilagan, Isabela, May 2nd, 1903.

FIRST DISTRICT CHIEF,
PHILIPPINE CONSTABULARY,
Manila.

SIR: In compliance with telegram of April 28, 1903, from the Chief of First District, Phil. Const., I have the honor to respectfully submit the following report:

Buying and having slaves has evidently been very common

in this valley during Spanish occupation. I am satisfied that, to a large extent, the poorer population in the towns and barrios are the descendants of former slaves bought from Igorrotes or Calingas by the richer Spanish or Ibanag landowner.

The two Christian tribes in this valley are the Ilocanos and the Cagayanes or Ibanags. The former are immigrants from Ilocos Sur and Norte, and they have practically only been here for a generation; they come here as laborers for the tobacco companies and eventually stay and settle here. The latter tribe are the original inhabitants of the valley, but are somewhat indolent, and do not care to work for others.

These two tribes are confined to a very narrow strip of land, in fact only about twenty miles wide, taking in only river bottom land of the Cagayan River and its tributaries, and their only crop is tobacco, which cannot profitably be raised by them on the higher land not inundated during the rainy season. They are also afraid of living in isolated places, as families that have done so, are killed by the uncivilized tribes whenever opportunity offers.

The non-Christian tribes living in this valley and surrounding foothills and mountains are the Calingas or Gaddanes, Igorrotes, Negritos, Ilongotes, and Catalanganes. Of these the Igorrotes and Calingas are confirmed headhunters, and consequently always at odds with their neighbors, even if they belong to the same tribe. The Igorrotes, I think, are the larger tribe; at least, they are more plentiful in this province, and in appearance and manner very much like the ordinary Filipino, and though they consider a Gee string to be ample covering for anybody, they otherwise are as far advanced as the barrio Filipino; they have bamboo houses, cooking utensils, same as used by the Filipinos, raise rice and garden truck, have horses and carabaos, make baskets and earthenware pots, and, in fact, have all the comforts enjoyed by their Christian brothers.

They live in so-called rancherías, very much resembling a barrio, but generally situated in out of the way places. As they covet the possession of heads, for religious or other reasons, and as these heads are never obtained from their own rancho, they naturally do not live on the best of terms with the outer world.

In making raids on other rancherías for headhunting purposes some prisoners are generally taken, with the idea, I think, of killing them afterwards, or selling them, as the Igorrotes do not keep slaves. In disposing of their slaves they generally do as follows:

A small number of Igorrotes, generally about four or five, will appear in a town with one, two, or three prisoners, as the case may be, and make known to the people that they wish to dispose of them. They will generally be accompanied by an interpreter, who is often a hunter, who is on good terms with the Igorrotes, he will taken them around to the most likely houses in town, and no doubt gets a fee for his trouble.

After some dickering and showing the fine points of their wares, a bargain is struck, cash is handed over, and the Igorrotes depart.

The slave is then put to work in the house, and shortly afterwards baptized, is treated well, learning to speak the prevailing dialect, and no doubt thoroughly appreciates the change.

He is, of course, assigned to the meanest and hardest work, as carrying water and the like, but nevertheless well treated, for fear that he should run away, and his only compensation is food and what little clothing he needs. His master will generally see that he gets married in due time, and whenever he thinks that he can safely do so, he sends him out to his ranch to work there.

If the slave should wake up to the fact that his services ought to be paid for, and would look for other work, he will find that nobody would employ him, as everybody in town knows that he belongs to his master, and a person doing so would incur the enmity of every slave owner. Consequently, the only method of liberating himself, is to run away to some distant place, from where his master would not be likely to get "noticias," or where the practice of owning slaves is not prevailing.

My investigation of this matter has been conducted very quietly as it would look suspicious in the eyes of the native, if I should inquire too deep into the prices paid, or personally interview the buyers; I have therefore had a young native to furnish me the following list of persons who have bought slaves during the last year.

The slave owner will make himself believe that he is doing a very commendable thing in rescuing an infidel, and having him brought up to become a good Christian; true, also, if carried on for some time the non-Christians will become assimilated and a Christian.

I stated in my telegram that the governor, Sr. Dichoso, had recently bought three slaves; this I have not been able to verify; on the list given me, he is supposed to have bought only one of a lot of three, recently sold here, of the remaining two, one went to his father-in-law, Andres Claraval. The third of this lot I have not been able to trace, as I did not like to show too much zeal in the matter as yet.

Igorrotes sold in Ilagan, within last year. To the presidente, Pascual Paguirigan, one boy 12 years old for \$130. This boy is doing housework.

To Gabriel Maramag, sheriff of the Province, one girl 12 years old for, he believes, \$150. This girl is also doing housework.

To Pedro Gangan, consejal, a woman, 25 years old and a man 26 years old for \$145. They both do housework.

To Desiderio Camarao, a merchant doing business in this valley, with house in Aparri, boy and girl about 10 years old, for \$250. These children are working in house in Aparri.

To Luis Futad, owner of a billiard hall here, a boy 8 years old, for \$115. This boy is doing housework.

To Blas Padagas, an Ilocano consejal, a boy about 10 years old for \$150. This boy does housework.

Blas Padagas also bought another boy at about 10 years of age, and sold him afterwards to Irineo Comaseng, manager of coöperative store in Ilagan, for \$180. This boy has been sent to Manila, where he now works for Irineo's sister living somewhere in Santa Cruz, Manila.

To Juan Paggao a former consejal, and whose son is now consejal, a man 27 years old for \$110. This slave died about two weeks after being purchased.

To Sr. Dichoso, governor of Isabela, a boy of 14 years old. Have not been able to ascertain the price paid.

To Andres Claraval, father-in-law of Sr. Dichoso, a woman 26 years old. Also not able to ascertain price in this case.

Jose Patanag, a boy 10 years old for \$170. This boy is working on owner's ranch in barrio Lulutan.

While in Aparri, en route for this station, I saw three young Negritos, two boys and one girl; the boys were about 14 years old and the girl slightly younger. Inquiring, I was told that they belonged to a Chino merchant, who had bought them recently. The boys were working in rear of the Chino's house, facing the river, and engaged in filling in and raising the level of the land with soil obtained in or near the river. The girl was working in the cuisine.

As seen from above list, only the very best or richest class of inhabitants keep slaves, naturally the poorer could not afford to buy them; nevertheless, it is apparently a good investment, as the salaries for field hands are about 4 or 5 pesetas a day, or a certain part of the crop.

The people here, especially the officials, are very bitter against the Calingas, who they declare, ought to be killed wherever met; this is especially so whenever it is discovered that they have killed Christian Filipinos. It is certainly a very bad state of affairs, considering the impossibility of fastening the guilt of these murders on individual Calingas. They roam over such a large territory that it is impossible to know by which band a certain murder has been committed, and there never are any eyewitnesses to these affairs, as they are always perpetrated on hunters, travelers, or families living on isolated ranchos.

The Calinga, though, is not entirely to blame, as he is treated unjustly, and practically has no standing in their courts, besides, these so-called hunters, in doing so, invade the country of the Calingas and whenever opportunity offers, will steal their carabaos and horses, or kill them, claiming that they thought they were wild carabaos and horses. The main trouble is that in revenging himself he does not always get the guilty parties. In order to be more conversant with the Calinga question, and to be able to be on speaking terms with them whenever desirable, and to gain their confidence, it is necessary that we be supplied with about 20 more good horses. I believe that this province needs horses more than any, on account of this same question. In other provinces, usually food can be obtained most every-

where, while here it is an impossibility to obtain anything outside of the towns or barrios.

A peculiar fact connected with the selling of slaves is that an Igorrote never sells Calingas as slaves, or vice versa, which no doubt shows that they do not show each other mercy, but that if prisoners are taken they are invariably killed.

A Tagalo by the name of Cosme Ferrer, living in this town, and a hunter at odd times, has acted as go between in the selling of slaves at various times, and I am assured that if any Filipino should want to invest in a slave this man could arrange to have a lot brought in here for selection.

Very respectfully,

(Sgd.) A. O. SORENSON,
Captain and Senior Inspector, Isabela Province.

DECISION OF THE COURT OF FIRST INSTANCE IN THE TOMÁS
CABANAG CASE.

In the Court of First Instance in and for the Province of Nueva Vizcaya,
Mountain Judicial District.

LOS ESTADOS UNIDOS } Criminal case No. 32.—For Detencion
contra } ilegal.
TOMAS CABANAG. }

OPINION AND JUDGMENT.

The above-entitled cause submitted on January 10, 1906, and by the court taken under advisement presents another and still different phase of the traffic in human beings from any and all others that have been tried and disposed of by the court at this term, viz, the occupation of an agent or factor from the intelligent and educated natives who buy in Nueva Vizcaya to sell at a profit or advance in Isabela. The accused has been ably defended and the evidence is in conflict upon some material points and it is only by the most careful consideration and observation of the nature, interest, and manner of the witnesses while testifying that the real and true facts as established by such evidence is made clear and apparent.

Without entering into a discussion or explanation of the nature, interest, and manner of witnesses this court now finds the following facts established by the evidence beyond all reasonable doubt:

Tomas Cabanag the accused was and is an intelligent and well-known citizen and resident of Cauayan in the Province of Isabela and also has a house in Solano in the Province of Nueva Vizcaya where his relatives (sister) live and where he is accustomed to stop on his visits to said pueblo.

On or about the 30th of April, 1905, the accused being in Solano aforesaid made and entered into a contract with the Igorrote woman Antonia Malanta, a so-called Christian Igorrote from the rancheria of Quiangan, in said Province of Nueva Vizcaya, for the purchase of the Igorrote child Jimaya, age, about 13 years, and a native of the rancheria of Anao in said province, agreeing to pay the said Antonia Malanta the sum of 100 pesos,

and with the purpose and object of taking said child Jimaya to the Province of Isabela and there selling her into slavery.

This contract for the transfer of the possession of said child was made without any inquiry whatever as to the parentage or guardianship of said child or the right of the said Igorrote Antonia Malanta to have such child in her possession or under her control for while the said Antonia at first declared that Jimaya was her daughter the subsequent conversation clearly demonstrated that such was not the fact and that such was well known and understood by the said accused.

This contract for the transfer was consummated the following morning, and the money was paid by the accused to Antonia and the child was delivered to the accused and his sister at their house in said pueblo of Solano.

The child Jimaya had been forcibly taken from the possession of her grandmother Oltagon in the rancheria of Anao by one Buyag an Igorrote of said rancheria and against the will and protest of both the child and her grandmother who in the absence of the parents of said child, was then exercising a lawful and proper guardianship of the said child, and when so taken and abducted was delivered to Eusebio, brother of Antonia and by said Buyag and Eusebio delivered to said Antonia for sale. Buyag, a prisoner in jail here for said offense, was produced as a witness by the accused and testified that the child's father was dead and that the child was taken from the possession of Dudduli, the child's mother, from whom he in company with another Igorrote bought the child in payment of the debts of the deceased father. This claim is not established by the evidence and is inconsistent with the other evidence which establishes the fact that the child Jimaya was an orphan and when abducted and seized by Buyag was and had been for a considerable time in the house and under the control of the maternal grandmother Oltagon, and against whom as well as the child force and threats were used at the time of the abduction and seizure as hereinbefore found and set forth.

This feature of the seizure and abduction, the parentage of the child, and the alleged sale as advanced by the accused on his trial in this court, it is clearly shown were matters of subsequent information and that he made no enquiries from the woman Antonia to ascertain whether the parents were living or the circumstances or conditions under which the child came into her possession or was held by her for sale. The child was held in his possession in Solano and in a day or two thereafter upon a false and untrue statement to the child that he was going to take her back to her rancheria he did as a matter of fact take the child weeping and crying and with such degree of force as was sufficient to intimidate said child and against her will carried her on horseback, accompanied by his sister to his residence in Cauayan in the Province of Isabela and with the object and purpose of selling the child there into human slavery which object and purpose was effected within two or three days to one Mariano Lopez where the child was used and employed in the manufacture

of cigars, being beaten and intimidated by the wife of the said Mariano Lopez, and from whence she was rescued and returned to Nueva Vizcaya by the Constabulary of said province.

However much may be said in extenuation of the alleged custom among the ignorant Igorrotes of seizing and abducting children for sale as even of the voluntary sale by Igorrotes of their children, there is nothing in all this to palliate or extenuate the conduct of the accused in this case.

The Congress of the United States has declared that human slavery shall not exist in these Islands, and while no law, so far as I can discover, has yet been passed either defining slavery in these Islands, or affixing a punishment for those who engage in this inhuman practice as dealers, buyers, sellers, or derivers, the facts established in this case show conclusively that the child Jimaya was by the defendant forcibly and by fraud, deceit, and threats unlawfully deprived of her liberty and that his object and purpose was an unlawful and illegal one, to wit, the sale of the child for money into human slavery. This constitutes the crime of *detencion ilegal* defined and penalized by article 481 of the Penal Code and this court finds the defendant guilty as charged in the information.

There are neither extenuating nor aggravating circumstances found in the case.

The court, therefore, sentences the accused Tomás Cabanag to eight years and one day of *prisión mayor* and to pay the costs of this instance with the accessories of the law.

Done in open court at Bayombong in the Province of Nueva Vizcaya, P. I., this 16th day of January, 1906.

(Sgd.) CHARLES H. BURRITT,
Judge, Mountain Judicial District.

DECISION OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS IN THE TOMÁS CABANAG CASE.

[No. 3241. March 16, 1907.]

THE UNITED STATES, plaintiff and appellee, *vs.* TOMÁS CABANAG, defendant and appellant.

1. ILLEGAL DETENTION.—The crime of illegal detention implies actual confinement or restraint of the person.
2. COERCION.—Violence through force or intimidation is a necessary element of the crime of *coacción*.
3. MINORS.—The mere custody and disposal by a stranger of a minor over 7 years of age, with or without the consent of the parent or guardian, is not in itself a crime.
4. SLAVERY.—The practice of certain tribes of the Igorots, so far as proved in this case, termed by them the buying and selling of children, does not necessarily constitute slavery or involuntary servitude. There is at present no law punishing slave-holding as a crime.
5. *Id.*; INVOLUNTARY SERVITUDE; CONSTITUTIONAL PROVISIONS.—The constitutional provision of the Philippine Bill that “neither slavery nor involuntary servitude * * * shall exist in these Islands,” while operating to nullify any agreement in contravention of it, requires supplementary legislation to give it effect criminally.

APPEAL from a judgment of the Court of First Instance of Nueva Vizcaya.

The facts are stated in the opinion of the court.

J. F. Boomer, for appellant.

Attorney-General Araneta, for appellee.

TRACEY, *J.*:

The accused, an Igorot, was convicted in the Court of First Instance of Nueva Vizcaya of the crime of unlawful detention, under article 481 of the Penal Code, which punishes "any private person who shall lock up or detain another or in any way deprive him of his liberty."

An Igorot orphan girl called Gamaya, 13 years of age, was taken from the possession of her grandmother, Ultagon, in the *rancheria* of Anao, in the Province of Nueva Vizcaya, by one Buyag, also an Igorot; whether this was done with or against the will of the grandmother is not altogether clear in the evidence. We accept the version least favorable to the accused—that of the child—who testified that in the daytime Buyag came to the house and took her away, although the grandmother objected, saying, "Do not take off that little girl," but not speaking when she went away. The man brought her to his house, about a half mile distant, where she was not confined, but on the contrary was allowed to go back alone to her grandmother, with whom she would spend a little while, returning the same day. She testified that on last leaving, the grandmother was angry and did not wish her to go, but did not prevent her. According to her recollection she remained with Buyag, in the vicinity of her grandmother's residence, some two or three months.

Buyag testified that more than two years before, in order to help the family after the father's death and for the purpose of keeping the child at home, he had bought her for three pigs, twenty-five hens, two measures of rice, and a cloak worth two pigs, from her mother, with whom she remained until the third year, when (her mother presumably having died) she was brought away by one Eusebio, at the instance of himself and another Igorot named Yog Yog, who had furnished part of the purchase price. Together they instructed Eusebio to sell her for a carabao and 50 pesos. Eusebio, together with his sister, Antonia, brought her to Quiangan, in the Province of Nueva Vizcaya, and sold her to the accused, Tomás Cabanag, for 100 pesos.

In respect to this last sale, the stories of Tomás, Antonia, and the girl substantially agree. Cabanag had previously been instructed to buy a girl by one Mariano Lopez of Caoayan, to whom after a few days Gamaya was delivered in return for the price, which appears to have been 200 pesos. In his hands she remained for about two months until she was taken away by an officer of Constabulary. Afterwards this prosecution was instituted. Although Gamaya made objection to leaving the house of Cabanag, she appears to have gone without actual constraint and at no time in any of these places was she physically restrained of her liberty; she was not under lock or key or guard, went

into the street to play, returned at will, and was not punished or ill used in any way, but was employed about the household tasks; in short, she appears to have been treated by Mariano Lopez as a household servant and to have been well cared for while in the custody of the accused.

It is proved in the case that it is an Igorot custom to dispose of children to pay the debts of their fathers, the transaction in the native language being termed a sale, and the defendant appears to have engaged in the business of buying in Nueva Vizcaya children to sell in the lowlands of Isabela.

In his sentence, the judge below said:

"However much may be said in extenuation of the alleged custom among the ignorant Igorots of seizing and abducting children for sale and even in selling their own children voluntarily, there is nothing in all this to palliate or extenuate the conduct of the accused in this case.

"The Congress of the United States has declared that human slavery shall not exist in these Islands and while no law, so far as I can discover, has yet been passed either defining slavery in these Islands or fixing a punishment for those who engage in this inhuman practice as dealers, buyers, sellers, or derivors, the facts established in this case show conclusively that the child Gamaya was by the defendant forcibly and by fraud, deceit, and threats unlawfully deprived of her liberty and that his object and purpose was an unlawful and illegal one, to wit, the sale of the child, for money, into human slavery. This constitutes the crime of *detención ilegal*, defined and penalized by article 481 of the Penal Code and this court finds the defendant guilty as charged in the information.

"There are neither extenuating nor aggravating circumstances found in the case.

"The court therefore sentences the accused, Tomás Cabanag, to eight years and one day of *prisión mayor* and to pay the costs of this instance with the accessories of the law."

This sentence can not be sustained. There can be no unlawful detention under article 481 of the Penal Code without confinement or restraint of person, such as did not exist in the present case. (U. S. *vs. Herrera*, March 28, 1904, 3 Phil. Rep., 515.)

Under the complaint for this crime it is possible to convict for *coacción* upon proof of the requisites of that offense (U. S. *vs. Quevengco*, 2 Phil. Rep., 412), but among those requisites is that of violence through force or intimidation, even under the liberal rule of our jurisprudence (U. S. *vs. Quevengco, supra*; U. S. *vs. Vega*, 2 Phil. Rep., 167; U. S. *vs. Ventosa*, 6 Phil. Rep., 385, 4 Off. Gaz., 573); consequently the charge of *coacción* against the accused can not be sustained upon the evidence.

The Penal Code, chapters 2 and 3, title 12, articles 484 to 490, provides punishment for those who carry off children under 7 years of age or those who devote children under 16 years of age to certain hazardous occupations; but none of these articles can apply to the case before us, except article 486, which punishes him who induces a child over 7 years of age to abandon the house of its parent or guardian. Under this article it is possible that

on full proof of the facts, Buyag might be held, but not the accused. It was not the design of the law to prevent parents or grandparents from devoting their children to customary work, nor from receiving compensation for such work in wages or otherwise. Such agreements binding out minors are sanctioned in most countries, usually, however, subject to stipulations for their welfare expressly prescribed by statute. In the absence of proof of what the agreement of the parties or the custom of the people called for in respect of the use, treatment, and care of the child, the term of her service and her final disposition, and particularly in respect of the maintenance of her relations with her grandmother and the prospect of an ultimate return to her, it is not possible to hold that the arrangement was a criminal or even an illicit one. The name applied to it by the custom of the Igorots is not enough to establish that in truth and in effect it was a sale, or anything more than a contract for services. While there is much in this practice to condemn, we do not feel it to be our province to strain the law in order to bring this local custom of this mountain people to an end. This condition may present matter for the consideration of the legislature but not for action by the criminal courts. Not even the abhorrent species of traffic apparently carried on by the accused justifies a sentence not authorized by law.

The judge below quotes the Bill of Rights of the Philippines contained in the Act of Congress of July 1, 1902, declaring that "neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said Islands." This constitutional provision is self-acting whenever the nature of a case permits and any law or contract providing for the servitude of a person against his will is forbidden and is void. For two obvious reasons, however, it fails to reach the facts before us:

First. The employment or custody of a minor with the consent or sufferance of the parents or guardian, although against the child's own will, cannot be considered involuntary servitude.

Second. We are dealing not with a civil remedy but with a criminal charge, in relation to which the Bill of Rights defines no crime and provides no punishment. Its effects cannot be carried into the realm of criminal law without an act of the legislature.

It is not unnatural that existing penal laws furnish no punishment for involuntary servitude as a specific crime. In the Kingdoms of the Spanish Peninsula, even in remote times, slavery appears to have taken but a surface root and to have been speedily cast out, the institution not having been known therein for centuries. It is only in relation to Spain's possessions in the American Indies that we find regulations in respect to slavery. In general they do not apply in their terms to the Philippine Islands where the ownership of man by his fellow-man, wherever it existed, steadily disappeared as Christianity advanced. Among the savage tribes in remote parts, such customs as flourished were not the subject of legislation but were left to be dealt with by religious and civilizing influences.

Such of the Spanish laws as touched the subject were ever humane and radical. In defining slavery, law 1, title 21 of the fourth *Partida*, calls it "a thing against the law of nature;" and rule 2, title 34 of the seventh *Partida* says: "It is a thing which all men naturally abhor." These were the sentiments of the thirteenth century.

To sum up this case, there is no proof of slavery or even of involuntary servitude, inasmuch as it has not been clearly shown that the child has been disposed of against the will of her grandmother or has been taken altogether out of her control. If the facts in this respect be interpreted otherwise, there is no law applicable here, either of the United States or of the Archipelago, punishing slavery as a crime. The child was not physically confined or restrained so as to sustain a conviction for illegal detention, nor are the acts of the accused brought within any of the provisions of the law for the punishment of offenses against minors; consequently the conviction in this case must be reversed, in accordance with the recommendation of the Attorney-General, with costs *de officio*, and the prisoner is acquitted.

After the expiration of ten days let judgment be entered in accordance herewith and ten days thereafter let the case be remanded to the court from whence it came for proper action. So ordered.

Arellano, C. J., Torres, Mapa, Carson, and Willard, J. J., concur.

Defendant acquitted.

ADDITIONAL CASES OF SLAVERY IN ZAMBALES.

(Reported by the Philippine Constabulary.)

Mr. Manuel Millares, San Marcelino, Zambales. One Negrita girl, 10 years of age, named Valeriana. Bought by Mr. Millares from a Negrito father named Eslao, of Mabayto, sitio near San Marcelino, for 30 *manojos*¹ of *palay*² per annum. Eslao owes Mr. Millares ₱10.00, debt contracted two years ago. This debt is not cancelled by the payment in *palay*. The girl has been in the possession of Mr. Millares for three months.

Miss Aurea Magsaysay, San Marcelino, Zambales. Two Negrita girls, of 10 and 12 years, named Donata and Mariana, respectively. Bought by Miss Magsaysay in 1908 from their uncle named Mariano Lacsamana of Maguining, sitio of San Marcelino, for rice and clothes for the uncle; amount could not be learned, but the Negrito has received them three times since delivering the children. No money appears to have entered into the transaction.

Carmen Magsaysay, San Antonio, Zambales. One Negrita girl named Rosalina, about 10 years of age. Receives clothes and food in return for services as servant. No parents. Aunt and uncle, named Niquiroc and Sucuban, live in sitio of Marasa,

¹ Bundles.—D. C. W.

² Unhusked rice.—D. C. W.

near Botolan and receive clothes and food when visiting at the house of Carmen Magsaysay.

Mrs. Magdalena de Guzman, Castillejos, Zambales. One Negrito boy of 8 years, named Antonio de Guzman. Bought by Mrs. de Guzman from uncle of boy, Pampalacuan of Santa Fe, Marcelino, for ₱5.00 and 5 yards of cloth in 1908. Uncle owed ₱5.00 to Mrs. de Guzman since 1902 and settled the account by receiving the cloth. When the uncle visits Mrs. de Guzman, he receives food. Boy has no parents.

Mrs. Carlota Perez, Paliuag, Zambales. One Negrito boy, named Hugo, aged 16. Bought from the boy's aunt, named Petra, by Mr. Patricio Lesaca, now of Botolan, Zambales, for ₱100.00, about eight years ago; Mr. Lesaca first paid to the aunt ₱35.00 and subsequently, at different intervals, cloth amounting to ₱65.00. About two years have elapsed since the last cloth was given to the aunt. Mrs. Perez states that she believes Mr. Lesaca will give the Negrita woman more cloth, if she requests it. The boy has no parents.

ADDITIONAL CASES OF SLAVERY IN THE PROVINCE OF TARLAC.

(Reported by a Filipino Constabulary officer.¹)

Tomas Sival, a boy of 5 years. He was presented by his parents in 1912 to Agatan Sival of Bamban, Tarlac, who had him baptized. He is cared for as an adopted son of Sr. Sival, and receives no wage.

Maria, a girl of 8 years. She was presented by her mother Roberta and her stepfather Dumpil, Negritos of the sitio of Mapiqual, to Leon Sival of Bamban, Tarlac, in 1907. She is treated as a member of the family and receives no wage.

Maria, a woman of 52 years. Her parents died when she was but a little girl and she was taken care of by a Christian family. In 1896 she entered the service of Catalino Cristobal of Bamban, Tarlac, to work for her food and clothes. She receives no salary.

Magdalena David, a girl of about 7 years. She was given by her parents to Petronila David of Bamban, Tarlac, who adopted her as a daughter. She receives no wage.

Lucia de la Cruz, a girl of 15 years. In 1900 her grandfather gave her to Angela de la Cruz of Bamban, Tarlac, to be adopted. She is furnished food and clothes but no wage. She is godchild of Angela de la Cruz.

Angela Sival, a girl of 13 years. She was presented in 1911 by her parents, names unknown, to Agatan Sival. She is fed and clothed, but receives no wage.

¹ Note the constantly reiterated claim that these Negritos were given to their owners, baptized, and adopted, or treated as members of the family.—
D. C. W.

Tuning, a woman of 50 years. She has lived since 1898 with Paulino Vergara of Bamban, Tarlac, to whom she was sold for ₱25.00 by one Angelo Megia. She is given her food and clothes and some money occasionally but receives no regular wage.

Jose, boy, age 7 years. His parents died and his sister, Maria Sival, brought him to the house of Leon Sival at Bamban, Tarlac. He is taken care of by Leon Sival. He is too young to work for wage.

Amado David, a boy of 6 years. He was presented in 1911 by one Ancelma Austria to Geronimo David, both of O'Donnell, Capas, Tarlac, who had him baptized and adopted him. Does not receive regular wage but he is fed and clothed. No parents or relatives.

Tali, a girl of 15 years of age. She was presented in 1908 by her mother to Pascual Yamson of O'Donnell, Capas, Tarlac, to be adopted. She receives no regular wage but food and clothes only.

Pedro David, a man of 28 years. He was presented in 1890 by his father, Francisco, to Catalino Miranda of O'Donnell, Capas, Tarlac, to be adopted and was baptized. He is fed and clothed as a member of the family but receives no wage. He has no parents or relatives.

Geraldo David, a man of 25 years. He was presented in 1890 by his father Francisco to Catalino Miranda of O'Donnell, Capas, Tarlac, to be adopted and was baptized. He is fed and clothed as a member of the family but receives no wage. He has no parents or relatives.

Margarita, a woman of 20 years. Her parents died when she was a little girl and she was brought up by Filipino families. She entered in the service of Saturino Lomboy of Bamban, Tarlac, in 1905, as servant. She is fed and given her clothes but receives no regular wage.

Alberto San Miguel, a boy of 6 years. He is godson of Alberto San Miguel of Bamban, Tarlac, to whom he was presented by his father Rugio and mother Clara in 1911 to be baptized and brought up. He is treated as a member of the family and receives no wage.

Diqui, a boy of 16 years. He was presented in 1901 by his uncle Mariano Salazar to one Flaviano of Bamban, Tarlac, as servant, and receives his food and clothes but no regular wage.

Enriqueta Miles, a girl of 6 years. She was given by her mother Maxima to Mr. Clarence Miles of Capas, Tarlac, who had her baptized, giving her his name. She is an adopted daughter and receives no wage.

Catalino Pascual, a Negrita girl of 10 years. She was presented in 1908 by her mother to Isabel de Pascual of O'Donnell, Capas, Tarlac, to be cared for, and was baptized. Receives food and clothing but no wages.

Urullo, a boy of 12 years. He was given in 1910 by his mother, Magdalena, to Vicente Frias, teacher of Negrito school at Bueno, to study under him. He receives regular wage of one *oyon* of *palay* per year.

Alejandro Miranda, a man of 34 years. He was bought in 1882 from unknown Negritos of Pinatubu Mountains by Catalino Miranda for ₱30.00 and was baptized. He receives no regular wage but gets food and clothing.

Balundoy, a boy of 16 years of age. He was given in 1910 by his father to Juan Supan of O'Donnell, Capas, Tarlac, as a servant and receives regular wages of ₱9.00 per year.

Margarita, a Negrita girl of 15 years. She was presented in March of 1908 by her mother, Romana, to Protacio Santos of Camiling, Tarlac. She receives ₱1.00 per month.

Taran, a man of 30 years. He was presented in 1885 by his cousin, Emiterio Galang, to Pedro Nuega of Moriones, Tarlac, to be adopted. He is a servant and when able to farm was made a tenant. His wage as a servant was 10 *capungos* of *palay* per year and when made a tenant his regular wage is 2 *oyones*, about ₱24.00 worth, of *palay* per year.

Milio, a boy of 8 years. He was presented in 1911 by his mother to Gregorio Tabun of Moriones, Tarlac, to be adopted and used as a servant. He receives no regular wage but is fed and clothed.

Petronila, a woman of 35 years. She was found in 1881 loitering near Sula, Tarlac, by Francisco de los Santos, whom she followed and who gave her to Timoteo Suba of Moriones, Tarlac, with whom she has lived ever since. She works as a servant and is given her food and clothing but no regular wage.

ADDITIONAL CASES OF SLAVERY IN MANILA.¹

(Reported by the Chief of Police.)

Luis Zarate; age, 6 years; mestizo Negrito. It appears that his father is a Filipino and his mother a Negrita. According to the statement of his present employer, this Negrito was presented to her personally while the boy was yet 2 years old. The name of his present employer is Margarita Guidote, 814 Interior, Calle San Miguel. It is suspected that this Negrito was bought, because of the fact that his employer did not wish to tell the name of the person who gave this boy to her. He receives no wages.

Constancio Sandico, alias Bablito Sandico; age, 17 years; genuine Negrito, born in Patling, Tarlac. He has never known his parents. He was in the possession of one Eulalio de Guzman since childhood, and at the age of 3 years was turned over to one Francisco Sandico, 527 Calle Velasquez, with whom he is still living as *cochero*. He receives no wages.

¹ Some of these Negritos have now obviously ceased to be slaves.—D. C. W.

Manuel Guido, 22 years of age; genuine Negrito, born in Botolan, Zambales. He has never known his parents. Since childhood he was in the possession of one D. Benito Guido of Botolan, Zambales, who then brought him to Manila at the age of 5 years. This Negrito was presented to the brother of his master, Justo Guido, with whom he is still living as one of the family. Residence, 915 Calle Singalong. He is now a tobacco worker in the Germinal Factory, receives wages, and has ceased to be a slave.

Dorotea Sibog, a Negrita woman 22 years of age; born in Floridablanca, Pampanga. She has never known her parents. At the age of 6 years she was brought to Manila by an insurgent officer and presented to one Benedicto Niedao, 175 Calle Lipa, Sampaloc, with whom she is still living as a servant without pay.

Angela Vega, a Negrita mestiza, 26 years of age, her father being a Negrito and her mother a Visayan. She was born in Albay, where her mother still lives. Her mother told her that a *'Captain de Guardia Civil'* took her from her mother. She was presented to a Spaniard named Ventura Vega in Albay. When her master came to Manila, he took her with him. She stayed with him until five months prior to the date when she was interviewed, at which time she left him to look for another job with wages.

Casimira Puno, a Negrita woman, 22 years of age. She was born in Palma, Pampanga. She has never known her parents. From the age of 3 to 15 she lived with Eugenio Puno and then ran away because of ill-treatment. She came to Manila alone to seek employment. She worked for one Quicay for four months, then for Luis Zamora for a year. She now lives with Ciriaca Basa as a servant without pay at 305 Calle Peñalosa.

Carmen Toledo, a Negrita woman 30 years of age; born in Floridablanca, Pampanga. She came to Manila at the age of 6 years in company with her former "employer," Eulalia Toledo. She now lives with one Elvisa Wolfert as a servant at 302 Calle Lorenzo Chanco, Tondo, Manila. She receives no wages. Mrs. Wolfert took her from a charitable institution.

Vicente Gutierrez, a Negrito man 30 years of age. He has never known who or where his parents or relatives are. At the age of 7 or 8 years he came to Manila in company with a Spaniard. He is at present living with ~~one Mr. Hanna, as a coachman, at 1253 Calle Anloague.~~ He receives no wages, but gets board, lodging, and clothing.

Eusebia Marcelo, a Negrita mestiza girl 14 years of age. She was born in Romblon, Tablas Island, her father being a Negrito and her mother a Visayan. With the consent of her parents she was taken to Manila when 10 years of age by her 'employer,' Marcelo Lopez, with whom she still lives as a servant at 239 Calle Cabildo, Intramuros, Manila. She receives board, lodging, and clothing but no wages.

*Maria d
1235 k
Felix Hu*

ADDITIONAL CASES OF THE ENSLAVING OF IFUGAOS.

(Reported by Lieut. Gov. Jeff D. Gallman.)

About ¹ 1899 a woman 20 years of age, from Mampolla, named Manay, who had been turned over to Bacngango in settlement of a debt, was sold to people of Jobong, Ifugao, for ₱80.00.

About 1899 a woman called Gayang, of Jigyon, 20 years of age, was purchased by one Bandao of the same rancheria and was sold in Nueva Vizcaya to an unknown Christian for three carabaos.

About 1898 a woman of Bambang called Cuyappi, some 18 years of age, was sold to Don Jacinto Logan of Solano, Nueva Vizcaya, for ₱100.00. She continued as Don Jacinto's slave until her death.

About 1899 a 15-year-old girl called Dinaon, of Lingay, Ifugao, was sold to Dalmacio Fernandez, of Pangasinan, who then lived at Solano, Nueva Vizcaya, for ₱100.00.

About 1900 a 16-year-old girl named Imbajáy, of Cayapa, Lingay, Ifugao, was sold by Mangognope of Jalong, Lingay, to Maynayno of Mayoyao, for ₱8.00. The latter turned her over to Mangjit of Bunjian, who took her to Isabela and sold her for ₱80.00. The girl later escaped from her Christian master and now lives in Damag, Ifugao.

In 1899 a girl called Tayaban, 15 years of age, of Dangtalan, Ifugao, was carried by one Pumijic to Dinangan, Mayoyao, Ifugao, for sale. A man named Baynan took her to Isabela and sold her for ₱100.00.

About 1899 Camjit of Ajin, Ifugao, sold a woman of some 28 years of age to Tayaban of Curog, Ifugao, for ₱30.00. The latter resold her to an unknown Christian of Nueva Vizcaya for two carabaos.

About 1900 Don Sebastian Panganiban, of Solano, Nueva Vizcaya, bought from Balog of Piuong, Ifugao, a 16-year-old girl named Indungdung for ₱100.00.

About 1902 Licco of Curog took a 15 or 16 year old girl named Oltagon to Isabela and there sold her to an unknown Christian for ₱80.00. He had paid ₱40.00 for her. His companion on the trip to Isabela was Liangna of Bonuitan, Ifugao.

About 1899 a woman named Intanap was sold by Dunnuan of Cabulo, Maggoc, Ifugao, to ~~Buyao~~ for ₱8.00. The latter took her to Pingad, Lepanto, and there sold her for ₱80.00.

About 1903 a 10-year-old girl named Uyame was sold by Gamboc of Panike, Japao, Ifugao, to a man in Mayoyao for ₱80.00.

About 1900 a boy named Muntamoc of Boco, Japao, Ifugao, was in the power of Gulji of Japao, as a slave. He was about 14 years of age. Guilji sold him to Aliguyon of Bangauan, Ajin

¹ Ifugaos can give only approximate dates.

District, for ₱60.00. The latter sold him to Lupai of Pindungan, Kiangan, for a carabao, and the latter took him to Isabela and there sold him for ₱80.00.

About 1903, one Pagal-la, a boy of about 17 years of age of Daligan, Lingay, Ifugao, was sold in Isabela by Malingan, for two carabaos. A man named Bayao was the companion of Malingan on the trip to sell this boy.

About 1899 a 25-year-old woman named Bugan of Cababuyan was captured by Buyugan and was kept at his house as a slave until the relatives of the woman paid ₱80.00 for her release.

About 1900 one Pumijic of the rancheria of Jicot was captured by Bin-nuj-ji of Daligan, Lingay, Ifugao, who brought the boy, who was about 10 years of age, to Pindungan, Kiangan, and turned him over to one Gui-na-lut, who took him to Isabela and sold him to Christians for ₱80.00.

About 1900 a woman called Indungdung, of Namulditan, Ifugao, some 22 years of age, was purchased for ₱60 by Bayung-Abung, of the same rancheria, and turned over to Bulajac, who intended to sell her but was unable to find a purchaser.

About 1900 Inuyao, a boy of Nabalilian, Namulditan, Ifugao, the son of Indongdeng, was purchased by Bayungabung and Ngayajan for ₱40.00. He was taken to Banaao, Ifugao, and there sold to Silipan Ifugaos for ₱80.00.

About 1899 a 25-year-old man named Imbangao, of Bangtinson, Curog, was bought by Guim-Mal of Mampolla, Ifugao, for ₱50.00, and was resold later in Mayoyao, Ifugao, for ₱80.00.

About 1900 a 10-year-old boy, Ajuday, of Cababuyan, Ifugao, was purchased by Balinon for ₱30.00 and resold to Umuniad, of Cutug, Bayombong, Nueva Vizcaya, for ₱100.00. The latter then sold the boy to Christians of Isabela.

About 1890 a boy of Anao, Ifugao, some 10 years of age, was purchased by Catongyan of the same place for ₱30.00, and later sold to a Christian of Solano, Nueva Vizcaya, for ₱60.00.

About 1899 an 8-year-old girl named Intanap, daughter of Kiladan, of Nungulunan, was purchased by Cabecilla Daclijon, of Japao, Ifugao, for four hogs, a little *palay*, some chickens and some *bubud*¹. This man kept the child in his possession for some months then sold her to one De los Santos of Solano, Nueva Vizcaya, for ₱120.00. She was taken to Solano by Bunol, of Paniki, Japao, Ifugao. Bunol negotiated the sale and received ₱10.00 for his trouble.

About 1898 a 7-year-old girl called Bugan of Tabag, Japao, Ifugao, daughter of Bayangog of the same place, was bought by Daclijon and Bunadon, of Duyung, Japao, for four hogs, some chickens and a few unimportant articles. Bunol, of Paniki, Japao, Ifugao, took the contract to sell the child to Christians

¹ A fermented drink made from rice.—D. C. W.

of Nueva Vizcaya. With a companion named Wilan, he took the child to Bagabag and sold her to Don Domingo Busa for ₱120.00. The two agents received ₱10.00 each for their trouble, and ₱100.00 was turned over to Daclijon and Bunadon, who divided the money equally.

About 1899 an 8-year-old boy named Batangog, son of Cobagob, of Lubuung, Banaue, was bought by Nabokiag, of Paniki, Japao District, for four hogs and a number of chickens. Two agents named Bunol and Ananayu brought the child to Kiangang and sold him to Paticual of Pindungan for ₱100.00, receiving ₱10.00 each for their trouble.

About 1898 a small boy named Pidlo of Dayandi, Japao District, was sold by his own father to Yagyag, a wealthy man of Japao District. When the boy had reached the age of about 9 years he was sent to Loo, Benguet, where he was sold for four carabaos. Yagyag paid the father of the boy four hogs, some *palay* and a few chickens.

About 1899 a boy named Baguiuan, of Dayandi, Japao, was sold by his father, Yuya, to Duyapat, of Japao, for four hogs, some chickens, *palay*, and a few jars of "bubud." The boy was taken to Loo, Benguet, by Angayan and Pugnuon, of Japao District, and sold there for four carabaos.

About 1899 a 9-year-old boy named Kimmuliap, son of Nangili, of Dayandi, Japao, was sold by his father to Acol of the same rancheria for four hogs, some chickens, *palay* and *bubud*. The boy was later taken to Cervantes by Jabbling of Japao and there sold to a Filipino of Kabayan, or Baguio, for 2 Igorot blankets, 2 *bubud* jars, and a small amount of cloth.

A boy called Capnigging, about 9 years old, of Dayandi, Japao District, was sold by his father to Atolba for some *palay*, *bubud*, etc. Later Atolba sold the boy to one Pio, of Baguinge, Kiangang, for a Remington rifle and ten cartridges. Pio resold the child to a Christian of Nueva Vizcaya.

About 1898, one Nganjena, a boy about 12 years old, son of Ingulon of Japao District, was stolen by Mundiguin, of Bucyauan, Japao District, and sold to Joggang, of Pindungan, Kiangang, for ₱60.00. He was later sold to Filipinos in Isabela for ₱100.00.

About 1898 an 11-year-old boy named Bumangjat, son of Napadauan, of Tabeg, Japao, was sold by his father to Bunnol, of Paniki, Japao, for four hogs, some chickens, etc. Bunnol later sold the boy in Mayoyao for four carabaos.

About 1900 Dango, a boy of some 14 years, son of Jodayan, of Obnag, was purchased by Taguiling of Cababuyan for ₱60.00 and sold to Antonio and Guinalut of Piuong for the same sum. The boy was later again sold to a Filipino of Isabela Province.

During 1899 a boy called Batangol of Cambulo, Ifugao, was taken to Isabela by Binot of Mayoyao and Ganachan of Dammag and there sold to a Christian Filipino for ₱100.00.

During 1899 a small girl called Dulimay, of Cambulo, was sold by Binot of Mayoyao to a Christian of Aj-jinda, Isabela, for ₱100.00.

About 1899 a 12 or 13 year old girl of Cababuyan named Intugay was sold by Balogan and Ngongoy of Cababuyan to Layangan of Mayoyao for ₱80.00. The latter intended to take the child to Isabela and sell her to Filipinos but was prevented by the death of the child.

ADDITIONAL CASES OF SLAVERY IN IFUGAO.

(Reported by Lieutenant W. E. Dossier, P. C.)

PHILIPPINE CONSTABULARY,
CONSTABULARY OF MT. PROVINCE,
FIFTH COMPANY.

MAYOYAO, M. P., *April 6, 1910.*

The ADJUTANT,
*District of Northern Luzon,
San Fernando, Union.*

SIR: In reply to communication No. 4027-I, dated March 15, 1910, I have the honor to submit the following report of slave dealing known to me:

All the information obtainable regarding this subject, was taken down at the time complaint was made. Cabecilla Eyabon, of Mayoyao, who has had more to do with these dealings than anyone else known to the undersigned, was called up, but nothing more than was already known could be obtained, with the exception of the name of one man in Echague, who is known to be, or has been, a slave dealer.

When these sales were made no questions were asked regarding the name of the buyer, as it was quite immaterial to the Ifugao what the man's name was so long as he received the money.

The only reason these slave-dealing complaints come in, is due to the fact that the man who makes the deal usually fails to come up to the contract made with the owner of the person sold.

No settlements on slave dealings have ever been forced at this station, the only action taken has been to get all the information possible regarding the deal, but only in one instance has the undersigned been able to get the name of the buyer, and this has always been one of the principal questions.

None of these deals have ever been made for any specified period of time, but for all time.

The following are the cases known to the undersigned:

About the year 1904, Duagna, cabecilla, of Tuleed, M. P., brought to Mayoyao a man named Im-ma-tan, whom he wanted to sell in Echague. The man was turned over to Cabecilla Eyabon. He was taken to Echague and sold for ₱65.00, ₱5.00 of which went to Eyabon as payment for making the deal; the balance, ₱60.00, went to Duagna.

About the year 1895 Wang-ag, of Malop-pop, Banaue District, M. P., brought to Mayoyao a woman named Bal-o-wag. Eyabon

purchased the woman for 70.00. She was taken to Echague to sell, but on account of her age, Eyabon was able to procure only ₱70 for her. The woman is now dead.

About the year 1906 Eyabon received from a man (name unknown) of Ca-na-cin, Banaue District, a small boy named Binniajan, for whom he paid ₱70.00. The boy was taken to Echague, and sold for ₱100.00. The boy is now dead.

About the year 1897 A-ta-ban of Tuleed, M. P., brought to Mayoyao a man named Cha-log, whom Eyabon purchased for ₱60.00. This man was taken to Echague and sold to Antonio Mangadap for the sum of ₱70.00.

About the year 1900 Bango of Mayoyao, M. P., bought of In-hu-mang of Ca-na-cin, Banaue District, a small boy for which he was to pay ₱70.00. ₱30.00 was paid down, but Bango died before balance was paid. The boy was taken to Echague to sell, but died before sale was made. In-hu-mang also died shortly after this.

About the year 1906, Duagna, cabecilla of Tuleed, M. P., proposed marriage to a girl who had emigrated from Cambullo, M. P., to Tuleed, with a relative. The girl was willing, but as soon as Duagna got her in his possession, instead of marrying her, he took her to Echague and sold her to the christianos.

No recent sales have been transacted, at least not to the knowledge of the undersigned. In case there has been a recent deal, it is only a question of a short time until it will be known.

Very respectfully,

(Signed.) W. E. DOSSER,
Commanding Company.

ADDITIONAL CASES OF SLAVERY IN NUEVA VIZCAYA.

(Reported by Acting Governor O. A. Tomlinson.)

In 1902 Felipe Lumicao of Solano, Nueva Vizcaya, purchased an Ifugao girl named Intanap and a woman named Indungdung for ₱120 and ₱100, respectively. In 1906 the girl married a Santa Cruz Igorot and was liberated by Lumicao. The woman Indungdung was given her liberty at the same time by her master, who feared prosecution for illegal detention.

In 1902 Domingo Ludan of Solano purchased two Ifugao boys for ₱80 each. One of the boys died in 1905 and the other, Pedlo, escaped and returned to Gojang, Banaue, in 1910.

In 1905 Mrs. Amanda Martinez of Bayombong, Nueva Vizcaya, purchased an Ifugao boy named Joaquin from Antonia, an Ifugao woman of Jabian, Quiangan, for ₱116. She was prosecuted for "illegal detention," but the case was dismissed against her and the slave was sent to the Episcopal School at Sagada, Bontoc.

In 1903 Cirilo Lumicao of Solano, now living in Angadanan, Isabela, purchased an Ifugao girl for ₱80. The girl is still with Lumicao but does not care to return to her people.

In 1905 Juan Jamias (now an Aglipayano priest) purchased an Ifugao boy named Cecilio. Jamias took the boy to Manila in 1910 and left him with some of the Aglipayano priests there.

In 1906 Pedro Piggangay of Solano purchased an Ifugao boy from an Ifugao named Clemente of Quiangan, for ₱180. The boy died in 1908 while still with Piggangay. The boy was from Anao, Ifugao.

In 1904 Dalmacio Aggabao of Solano purchased two Ifugao girls for ₱350. One of them died in 1906 and the other married an Ilocano of Solano named Mariano Lumapit. She was liberated when she married.

In 1901 Joaquina Logan of Solano purchased two Ifugao girls for ₱120. One of the girls was returned to her people in 1905, probably because of fear of prosecution, but the other is still with Joaquina.

OFFICIAL CORRESPONDENCE RELATIVE TO THE CONDITION OF
NEGRITOS IN AMBOS CAMARINES.

THE GOVERNMENT OF THE PHILIPPINE ISLANDS,
DEPARTMENT OF THE INTERIOR,
BUREAU OF SCIENCE.

BAGUIO, *March 6, 1913.*

Dr. E. L. WALKER,
*Acting Chief, Biological Laboratory,
Bureau of Science, Manila.*

MY DEAR DOCTOR WALKER: A few days ago Mr. Garvan of our division of ethnology stated to me that the lowlanders of the territory in Ambos Camarines, through which he has recently traveled on official business, have been very active in creating the impression among the Negritos that the latter are not entitled to the privilege of occupying Government land, presumably with the object in view that the Christians may the better retain them as servants and laborers. I directed Mr. Garvan to present this case to me, in writing, in order that I might bring it before the proper authorities. Please have this done promptly and submitted to me.

Very respectfully,

(Sgd.) ALVIN J. COX,
Acting Director, Bureau of Science.

BUREAU OF SCIENCE,
DIVISION OF ETHNOLOGY.

MANILA, *March 12, 1913.*

Dr. ALVIN J. COX, *Acting Director of Science, Manila.*
(Through the Acting Chief, Division of Ethnology.)

SIR: In compliance with your request for a written statement regarding certain deceptions practiced by Tagalogs of Tayabas on the Negritos, I have the honor to submit the following information:

On the trail between Buyábud and Tagkawaian to the west

of the most northern part of the gulf of Ragai, I asked a very intelligent and influential Negrito, by name Lucas, as to why the Negritos of Buyábad, Málbug, and other points did not make clearings of their own instead of living in a state of economic servitude on the land of Tagalogs. The immediate reply given by Lucas was that Americans did not permit Negritos to make clearings of their own. I questioned him very carefully through my interpreter, Manuel Baleña of Lopez, as to his reason for this statement. He averred that no American had personally forbidden them to clear land, but that the Tagalogs of Kátimo, Tagkawáian, and Kinatakútan had repeatedly advised them not to do so, assuring them that they would be punished by the monteros or forestry officials. In reply to my question as to why Tagalogs were allowed to occupy land and to make clearings, Lucas stated that they were permitted by the "monteros."

It is to be presumed that the only motive that those Tagalogs can have in thus misinforming the Negritos is that the latter may be obliged to remain in economic dependence on them.

In Tagkawáian I questioned the municipal lieutenant, Gonzalo Olea (Cabeza Alo), as to why the Negritos of his barrio had no clearings and no crops of their own. He told me that it was more advisable to keep the Negritos under their (Tagalog) supervision for the purpose of instructing them (the Negritos) in civilized ways and beliefs! * * *

As to the general economic and social dealings between the Tagalogs of Lopez, Kalawag and Ginayangan and nearly all the Negritos of those municipalities, I beg to make the following remarks, based on personal observations:

The Negritos live in little groups of from five to twenty persons on the land of a Tagalog "*abián*" or master, as they call him, or "owner" (*mai-ári*) as the Tagalog styles himself. For their services in clearing their "owner's" land, in planting his coconuts and rice and in procuring rattan, beeswax, and other forest products, they receive very insufficient pittance of rice, occasionally a little cloth, or some cast-off Filipino clothing, and once in a while a contribution of rice and native *vino* for their ever-recurring mortuary feasts. As a result of this miserly treatment, and of the dissatisfaction that sooner or later inevitably follows, their permanence in one locality or under one "owner" is shortlived, for it is seldom the case that some Tagalog is not intriguing against their "owner" and trying to wheedle them from him, with fair promises. During my hasty trip several instances of this nature occurred.

Social dealings are still more lamentable. The Negrito is cozened with soft words and often honored with the fictitious titles of "presidente," "vice," or "sargento," but he is requested at the same time to do all the incidental chores that may turn up. It is a pity that his childlike nature does not rebel. I said to a Tagalog on one occasion—I do not remember where—"If Americans were to treat Filipinos with the same discrimination that you people use in dealing with Negritos, there would be a revolution within one hour."

As a result of the unsatisfactory economic conditions under which they live it is obvious that the Negritos, some five hundred in number, of the above-mentioned municipalities lead a life that is of a peculiarly nomadic character, for in an endeavor to better their condition, they are constantly changing from one master to another. Now tired of waiting for the fulfilment of fair promises and formal contracts, now lured on by the promise of better conditions they leave their Tagalog master without warning, remain in the forest for some days, and finally take up their abode on the land of some new but equally deceptive "owner."

Though the Negrito is of a happy, I should say, merry, vivacious, and most good-natured disposition, he silently resents the faithlessness and miserliness with which he is treated, as I had sufficient occasion to observe on my trip among the Negritos of southern Tayabas and northern Camarines Sur.

Another flagrant injustice that is perpetrated on the Negrito and that dooms him to inevitable extinction is the underhand opposition of interested Tagalogs to any movement that would better Negrito social or material condition. In my own case it was supposed in one district that I had come for the purpose of forming Negrito towns. To prevent the achievement of this imaginary project the report was spread that I was a "Bombay" who was coming to suck the blood of Negrito children! Nearly everywhere I went, it was necessary for me to meet in person the Tagalog "owner" of the Negritos I desired to visit, explain to him that my sole purpose was to study Negrito customs—and in other ways allay his misgivings as to the object of my visit.

As another illustration of the opposition of the Christian Filipino to the advancement of the Negritos of those parts, I was told by Sr. Serapio Garcia of Ragai—whose statement was corroborated by Mr. Hillesman of the Bureau of Internal Revenue—that several years ago Mr. Frank L. Crone had made arrangements to open a school for the Negritos of Ragai but that his design was frustrated by the malicious report of Christian natives of Ragai that the ulterior object of Mr. Crone was to carry away all the Negrito children in ships and ultimately to sell them to the Moros!

Other facts of minor importance bearing on this subject will be included in the full report which I am preparing on Negrito life and language around the Gulf of Ragai.

Very respectfully,

(Sgd.) JOHN M. GARVAN,
Division of Ethnology.

Such conditions as those above described are by no means exceptional. On the contrary, they are the rule along the border between the more primitive non-Christian tribes and the Filipinos. They prevail not only in the vicinity of the Negrito country, but in that of the Mangyans of Mindoro and the Bukidnons and Manobos of Agusan.

THE "EDWARDS" MEMORANDUM AND THE REPLY OF DEAN C.
WORCESTER THERETO.

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
Washington, December 29, 1909.

The following is taken from the annual report of the Secretary of the Interior of the Philippine Islands:

"FAILURE TO SECURE LEGISLATION PROHIBITING SLAVERY, INVOLUNTARY SERVITUDE, PEONAGE OR THE SALE OF HUMAN BEINGS IN THE PHILIPPINE ISLANDS.

"Having discovered to my amazement that there was no law in the Philippine Islands prohibiting the sale of human beings, and impressed with the necessity of providing legal remedy for existing conditions as regards slavery, involuntary servitude, peonage, and the sale of human beings, I drafted, and the Philippine Commission passed, the following Act:

"AN ACT PROHIBITING SLAVERY, INVOLUNTARY SERVITUDE, PEONAGE OR THE SALE OF HUMAN BEINGS IN THE PHILIPPINE ISLANDS.

"*By authority of the United States, be it enacted by the Philippine Legislature, that:*

"SECTION 1. Whoever, except in fulfillment of the judgment or sentence of a court of competent jurisdiction or under other lawful authority, shall, against the will of any person, restrain such person of his liberty, hold him to servitude, compel him to labor, take the fruits of his labor, compel him to deliver to another the fruits of his labor, or shall deliver such person to another for any of the purposes hereinabove set forth, shall, on conviction thereof, be punished by imprisonment for not less than six months nor more than five years and by a fine of not less than one hundred pesos and not more than one thousand pesos, in the discretion of the court.

"SEC. 2. Whoever shall compel another person, against his will, to render labor or services in payment of a preëxisting debt, or whoever shall accept labor or services performed under such compulsion, with knowledge of that fact, shall, upon conviction thereof, be punished by imprisonment for not less than three months nor more than five years, or by a fine of not less than ten pesos nor more than one thousand pesos, or by both such imprisonment and fine in the discretion of the court.

"SEC. 3. Upon a trial for violation of this Act the consent of the person restrained or rendering service shall not be a defense unless it shall satisfactorily appear that such person was above the age of eighteen years and that such consent was obtained without mental or physical compulsion.

"SEC. 4. Whoever shall buy or barter or cause to be bought or bartered, or whoever shall sell or barter or cause to be sold or bartered, any human being, shall, upon conviction thereof, be punished by imprisonment for not less than six months nor

more than five years and by a fine of not less than one hundred pesos and not more than one thousand pesos in the discretion of the court.

“SEC. 5. One-half of any fine collected under the provisions of this Act shall be paid to the injured person and such payment shall not operate to extinguish in whole or in part any civil action which such injured person may have for damages. In case of the nonpayment of any fine imposed under the provisions of this Act the same shall be extinguished by imprisonment at the rate of one day for each peso of such fine unpaid.

“SEC. 6. This Act shall take effect on its passage.

“Enacted.”

“I regret to state that this Act failed to pass the Philippine Assembly.

“The stealing or the purchase of children of members of non-Christian tribes is lamentably common. On my last visit I found at the house of Lieutenant-Governor Villamor a bright little Negrito girl eleven years of age who had been sold to a Christian native by her parents, who were starving, for a cavan of palay (unhusked rice), worth about ₱3.00. Lieutenant-Governor Villamor, on learning the facts, took her away from her purchaser on the ground that as she had served him for two and a half years she had certainly repaid him for her cost. This infamous practice is carried on under the guise of *Christianizing* the children of the wild men.

“If the conditions thus brought about are bad, those due to the peonage in which very numerous families, not only of the wild tribes, but also of the more ignorant Christian peoples, are held by people of a certain class in these Islands, are worse and undoubtedly call for remedial legislation.

“I recommend that at the next session of the Philippine Legislature this Act be again passed by the Commission, and that a strong effort be made to secure its passage by the Philippine Assembly. In the event that the Assembly should refuse to pass it, I recommend that the Congress of the United States be requested to enact suitable legislation, supplementing and making effective the provision in its Act of July 1, 1902, to the effect ‘That neither slavery, nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said islands.’”

This is submitted to the Secretary of War with a view to his determining whether it should be published in his annual report. The objectionable features are:

First, that it creates the impression that slavery, involuntary servitude, peonage, and the sale of human beings are common in the Philippine Islands, have legal recognition, and cannot be prevented under existing laws.

Second, that there is a threat, with apparent intention, of coercing the Legislative Assembly in the Philippine Islands into enacting this legislation proposed by Commissioner Worcester.

As to the first of these propositions, the reverse is true. Slavery and involuntary servitude are more specifically corrected

by legislation in force in the Philippine Islands than by legislation in force in the United States. In addition to the civil remedies which are in general identical with those in the United States—that is, the writ of habeas corpus and civil prosecution—there are specific penal statutes applicable. For example, article 497 of the Penal Code in force in the Philippine Islands is as follows:

“Any person who, without lawful authorization, shall with violence prevent another from doing what is not prohibited by law, or shall compel him to do what he does not wish, whether just or unjust, shall be punished with the penalties of ‘arresto mayor’ and a fine of from 325 to 3,250 pesetas.”

Article 481 of the Penal Code is as follows:

“Any private person who shall lock up or detain another, or in any way deprive him of his liberty, shall be punished with the penalty of *prision mayor*. The same penalty shall be incurred by the person who furnishes a place for the commission of this offense.

“If the culprit should release the person locked up or detained, within three days after his detention had commenced, without obtaining the object he had in view and without the commencement of proceedings, the penalties shall be *prision correccional* in its minimum and medium degrees and a fine of from 325 to 3,250 pesetas.”

And each of these particular sections are accompanied by other sections covering the commission of offenses outlined in more aggravated cases. It should be observed that under 497 can be punished any offense covered by section 1 or section 2 of the bill proposed by Commissioner Worcester, and the punishment is made severer if the restraint is accompanied by illegal detention, which is punishable under 481. Section 3 of Commissioner Worcester’s bill provides that upon a trial for violation of this Act “the consent of the person restrained or rendering service shall not be a defense unless it shall satisfactorily appear that such person was above the age of eighteen years and that such consent was obtained without mental or physical compulsion.”

It should be observed that this would only be of application in the case of emancipated minors under the code in force in the Philippine Islands, as an unemancipated minor is not competent to give his consent to any contract. It would seem that the section might be held to prevent an emancipated minor from giving his consent to a contract of labor. If so, the objections to the section would apparently outweigh any advantages.

Section 4 of this bill as drawn, if it has any effect not now of ready accomplishment under existing law, would have the effect of preventing parents from profiting by the labors of their children. This may be advanced legislation, but it is not in accordance with the legislation generally in force in the United States or in any other country so far as known.

Briefly, this is an ill-digested effort to introduced new legislation into one of the best codes in existence. The code in force in the Philippine Islands, which is practically the Spanish Code,

did not provide as against the Government the same individual liberty which we have in the United States, but it did so provide as against any other individual, and it not only so provided by broad principle, but by specific punitive statutes.

EDWARDS.

[See U. S. *vs.* Tomas Cabanag, vol. 8, P. I. Reports, page 64, and other cases indexed under arts. 481 and 497, Philippine Penal Code.]

OCTOBER 28, 1912.

SIR: General McIntyre's letter of August 1, 1912, with inclosure thereto, has been sent to me by Mr. Bowditch with request for comment.

As far as concerns Governor Forbes' Boston speech, it is doubtless true that the bill referred to by him was not the one discussed in the memorandum transmitted by General McIntyre, which has been superseded. The latter bill died in the Assembly. It, or a similar bill, was reenacted by the Commission during my absence in Washington, and also died in the Assembly.

Neither of these bills was made applicable through the territory inhabited by Moros or other non-Christian tribes, because of the obvious desirability of having uniform legislation for the entire Archipelago; but as it finally seemed undesirable to wait longer before enacting legislation calculated to correct regrettable conditions at least in the territory under the legislative jurisdiction of the Commission, on August 7, 1911, Act No. 2071 was passed by the Commission. It reads as follows: (See p. 33 for text of this bill.)

Subsequently an act identical with this, except that section 5 was omitted, was passed by the Commission and sent to the Assembly, which did not pass it. Undoubtedly it was the failure of the Assembly to act favorably on this bill rather than its failure to act on the bill referred to by General McIntyre which was made the subject of criticism by Governor-General Forbes.

In my opinion, the memorandum which was transmitted by General McIntyre and is signed "Edwards" is *very far* from being a fair statement of the case. I have never previously seen it, am very glad to have this opportunity to comment on it, and request that this communication be transmitted to General McIntyre and filed in the office of the Bureau of Insular Affairs in connection with the memorandum in question.

The first criticism reads as follows:

"First, that it creates the impression that slavery, involuntary servitude, peonage, and the sale of human beings are common in the Philippine Islands, have legal recognition, and cannot be prevented under existing laws."

Involuntary servitude and peonage *are* common in the Philippines. Slavery and the sale of human beings are also common, not only in certain portions of the wild man's territory under the exclusive legislative jurisdiction of the Commission, but in Palawan, and are by no means very rare in general in the territory occupied by Filipinos which borders on the territory oc-

cupied by non-Christians. But even if they were rare throughout the Philippines, the argument advanced by Edwards would no more be logical than would an argument against an act prohibiting and penalizing murder on the ground that it was not a *common* crime. The important question is not whether the acts provided against are committed frequently or infrequently, but whether they are good or evil. If evil, they should obviously be adequately provided against.

I do not wish to be understood to imply that slavery, involuntary servitude, and the sale of human beings are limited to the above-described territory.

It is but a short time since the wife of an Englishman living on the outskirts of Manila was offered a Negrito child which was brought to her home for sale as a pony or a carabao would have been brought.

I am now trying to find in Manila one of two Negritos who, sometime since, were kidnapped in the Province of Bataan, having first been made drunk with vino; were then tied up and taken into the Province of Pampanga; and were afterward sold in the Province of Batangas. Ultimately, both of them escaped from their purchasers. One of them has made his way back to his old home in the mountains of Bataan. The other is believed to have been detained on the way, and to be held at the present time in the city of Manila.

I see nothing in the enactment of a law prohibiting slavery, involuntary servitude, peonage, or the sale of human beings, which could logically lead to the belief that these practices have *legal recognition* in these Islands, but it is *true* that they cannot be effectively prevented under existing law. In this connection, your attention is invited to the following extracts from the judgment of the Supreme Court of the Philippine Islands in the case of the United States *vs.* Tomas Cabanag (Philippine Reports, Vol. VIII, page 64).

In this case it was shown that one Buyag bought an Igorot girl called Gamaya for three pigs, twenty-five hens, two measures of rice, and a cloak worth two pigs from her mother, as he claimed, for the purpose of keeping her at home, her father having died. At the end of three years, her mother having, it is stated, presumably died,

"she was brought away by one Eusebio, at the instance of himself and another Igorot named YogYog, who had furnished part of the purchase price. Together they instructed Eusebio to sell her for a carabao and 50 pesos. *Eusebio together with his sister, Antonia, brought her to Quiangan, in the Province of Nueva Vizcaya, and sold her to the accused, Tomas Cabanag, for 100 pesos.*

"* * * Cabanag had previously been instructed to buy a girl by one Mariano Lopez of Caoayan, to whom after a few days Gamaya was delivered in return for the price, which appears to have been 200 pesos. In his hands she remained for about two months until she was taken away by an officer of Constabulary. Afterwards this prosecution was instituted. *Although*

Gamaya made objection to leaving the house of Cabanag, she appears to have gone without actual constraint and at no time in any of these places was she physically restrained of her liberty; she was not under lock or key or guard, went into the street to play, returned at will, and was not punished or ill used in any way, but was employed about the household tasks; in short, she appears to have been treated by Mariano Lopez as a household servant and to have been well cared for while in the custody of the accused."

It was further shown that:

"* * * the defendant appears to have engaged in the business of buying in Nueva Vizcaya children to sell in the lowlands of Isabela."

The lower court found that:

"The Congress of the United States has declared that human slavery shall not exist in these Islands *and while no law, so far as I can discover, has yet been passed either defining slavery in these Islands or fixing a punishment for those who engage in this inhuman practice as dealers, buyers, sellers, or deriviers,* the facts established in this case show conclusively that the child Gamaya was by the defendant forcibly and by fraud, deceit, and threats unlawfully deprived of her liberty and that his object and purpose was an unlawful and illegal one, *to wit, the sale of the child, for money, into human slavery.* This constitutes the crime of 'detención ilegal' defined and penalized by article 481 of the Penal Code and this court finds the defendant guilty as charged in the information."

The defendant appealed to the Supreme Court and was acquitted, the Supreme Court finding, among other things, the following:

"This condition may present matter for the consideration of the legislature but not for action by the criminal courts. *Not even the abhorrent species of traffic apparently carried on by the accused justifies a sentence not authorized by law.*

"There is at present no law punishing slaveholding as a crime.

"The constitutional provision of the Philippine bill that 'neither slavery nor involuntary servitude * * * shall exist in these Islands,' while operating to nullify any agreement in contravention of it, requires suppletory legislation to give it effect criminally.

"We are dealing not with a civil remedy but with a criminal charge, in relation to which the Bill of Rights defines no crime and provides no punishment. Its effects can not be carried into the realm of criminal law without an act of the legislature."

I am not familiar with the legislation against slavery, involuntary servitude, and peonage now in force in the United States; but if it be true that the legislation at present in effect in these Islands, suffering as it does from the defects hereinbefore set forth, is more effective than that in the United States, this fact would, in my opinion, be a demonstration of the ineffectiveness

of the United States legislation for dealing with such conditions as prevail here, rather than a reason for considering existing Philippine legislation to be adequate.

It might further be suggested that it is comparatively unimportant at this time whether or not United States legislation against slavery and involuntary servitude is effective, for the reason that there is little or no occasion to invoke it, a condition which does not obtain in these Islands.

The extracts from the Cabanag case above quoted seem to me to afford a sufficient demonstration of the practical workings of the provisions of law quoted by Edwards from the code in effect here, which he considers "one of the best codes in existence."

A thirteen-year-old girl was purchased from her mother for pigs, hens, rice, and a cloak, under the absurd pretext that the object of the purchase was to keep her at home, where she would, of course, naturally have remained in any event. She was allowed to remain with her mother during a period of some three years, at the end of which time her mother is supposed to have died, *and in this manner the purchaser was saved the cost of boardng her.* Having now reached what the Igorots consider a marriageable age, *she was sold to a man who engaged in the business of buying in Nueva Vizcaya children to sell in the lowlands of Isabela;* in other words, to a slave dealer. She was sold by this man to an inhabitant of the town of Caoayan in Isabela, *who had instructed him to buy a girl.* Caoayan is distant many days of hard overland travel from this girl's home. When taken there she was among an alien people of another tribe and another religion and although, as stated, she was not kept under lock and key and although our Supreme Court held that:

"* * * There can be no unlawful detention under article 481 of the Penal Code" [which is one of the two articles quoted by Edwards to show the sufficiency of existing law] without confinement or restraint of person, such as did not exist in the present case,"

and held further that—

"Under the complaint for this crime it is possible to convict for *coacción* under proof of the requisites of that offense * * *, *but among those requisites is that of violence through force or intimidation,* even under the liberal rule of our jurisprudence * * *; consequently the charge of *coacción* against the accused can not be sustained upon the evidence,"

it is nevertheless true that this child, who had been thrice sold, was detained just as effectively at Caoayan as if chained to a post in the house of the man who bought her, and was required by him to perform menial labor without compensation. It would have been utterly impossible for her to escape and to make her way back through Isabela and Nueva Vizcaya to her own people.

Can legislation under which it is not possible to do anything in a case like this be considered adequate or satisfactory?

It is doubtless difficult for General McIntyre and others in Washington to appreciate the peculiar conditions which prevail here in the territory of the wild tribes and that of the Christian peoples adjacent thereto.

Sometime since, an eleven-year-old Bukidnon girl was carried away and taken from northern Mindanao to Bohol by a school-teacher who had been discharged from the service. Her parents gave every indication of bitter grief and begged to have their daughter restored to them. This was finally accomplished, to their great joy, as a result of my personal efforts. The kidnapper was ultimately brought into court, *but before the case came up for trial the parents had been subjected to such "influence" that when called to the witness stand they swore that the man had taken their daughter with their full knowledge and consent!*

In order to be effective, the law in these Islands must be so framed as to make it possible to protect people too ignorant, or too timid, to protect themselves.

So far as concerns the opinion of Edwards as to the adequacy of article 497 of the Penal Code, which provides that—

"Any person who, without lawful authorization, shall with violence prevent another from doing what is not prohibited by law, or shall compel him to do what he does not wish, whether just or unjust, shall be punished with the penalties of arresto mayor, and a fine of from 325 to 3,250 pesetas,"

and his contention that—

"under 497 can be punished any offense covered by section 1 or section 2 of the bill proposed by Commissioner Worcester," and that—

"section 4 of this bill as drawn, if it has any effect not now of ready accomplishment under existing law, would have the effect of preventing parents from profiting by the labors of their children,"

the judgment of the Supreme Court that, in the above case,

"we are dealing not with a civil remedy but with a criminal charge, in relation to which the Bill of Rights defines no crime and provides no punishment. Its effects can not be carried into the realm of criminal law without an act of the legislature,"

seems to me conclusive, as does the conclusion that—

*"The constitutional provision of the Philippine bill that 'neither slavery nor involuntary servitude * * * shall exist in these Islands,' while operating to nullify any agreement in contravention of it, requires suppletory legislation to give it effect criminally."*

I further respectfully submit that section 4 of the law as drawn by me made it a crime to buy or barter or cause to be bought or bartered, or to sell or barter or to cause to be sold or bartered, any human being; that I have the judgment of the Supreme Court of the Philippine Islands to the effect that this is not a crime under the provisions of existing criminal law, and that the bill as drawn accomplished this very important

thing *without* preventing parents from profiting by the labors of their children. It is surely not necessary that parents should sell their children for cash, or barter them for produce or other commodities, in order to profit by their labor, and in my opinion the right to sell children for cash or to barter them for produce or other commodities should be specifically taken away from parents in this country, for the reason that when so sold or bartered they are in the very large majority of cases either retained in a condition of involuntary servitude or employed for immoral purposes.

Edwards states that—

“Second, that there is a threat, with apparent intention, of coercing the Legislative Assembly in the Philippine Islands into enacting this legislation proposed by Commissioner Worcester,” basing this assertion on the statement in my report, which reads:

“I recommend that at the next session of the Philippine Legislature this Act be again passed by the Commission, and that a strong effort be made to secure its passage by the Philippine Assembly. In the event that the Assembly should refuse to pass it, I recommend that the Congress of the United States be requested to enact suitable legislation, supplementing and making effective the provision in its Act of July 1, 1902, to the effect ‘that neither slavery nor involuntary servitude except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said Islands.’”

This statement was not intended as a threat, nor was it my intention to coerce, or to attempt to coerce, the Assembly. The words quoted embodied my views as to what should be done to get results.

The Supreme Court of these Islands having held that—

“The constitutional provision of the Philippine bill that ‘neither slavery nor involuntary servitude * * * shall exist in these Islands,’ while operating to nullify any agreement in contravention of it, requires suppletory legislation to give it effect criminally,”

it was and is my opinion that such suppletory legislation should be enacted by the Philippine Legislature, if possible; and if, on account of the attitude of the lower house, it can not be so enacted, this condition should be brought to the attention of Congress, to the end that it may, if it sees fit, enact the legislation held by our courts to be necessary in order to make effective the provisions of its own act.

Very respectfully,

(Signed.) DEAN C. WORCESTER,
Secretary of the Interior.

Hon. NEWTON W. GILBERT,
Acting Governor-General, Manila, P. I.

I N D E X .

	Page.
Act No. 2071 of the Philippine Commission prohibiting slavery, involuntary servitude, peonage, and the sale or purchase of human beings in the Mountain Province and the Provinces of Nueva Vizcaya and Agusan, and providing punishment therefor.....	33
Act of Congress of July 1, 1902, the Philippine bill, provision of, relative to slavery.....	4
Agusan, slavery in the Province of.....	6
Almario, Garigorio, communication from, relative to peonage.....	55
Ambos Camarines, slavery in the Province of.....	14
Annual Report of Secretary of the Interior for year ended June 30, 1913; recommendation in, for legislation relative to slavery and peonage in the Philippine Islands.....	3, 35
Annual Report of Secretary of the Interior for year ended June 30, 1910; statement contained in, relative to slavery.....	68
Antislavery Act of the Moro Province.....	83
Assembly:	
Action by, upon Commission bill passed October 24, 1913.....	4
Action by, on bill relative to slavery and peonage passed by Commission	32
Action by, relative to legislation prohibiting slavery and peonage..	76
Assistance, failure of Secretary of the Interior to receive, from Insular officials in securing information relative to cases of slavery..	73
Attorney-General, opinion of, relative to cases of slavery in Nueva Vizcaya	25
Auditor, Insular, attitude of, relative to furnishing information to Secretary of the Interior relative to cases of slavery.....	74
Auditor, letter of, to Secretary of the Interior, dated March 14, 1913..	74
Cabanag, Tomás, test case brought against.....	27
Caciquism	52, 63
Cagayan de Misamis, municipality of, attitude toward peonage.....	66
Cecilio, Silverio D., Assemblyman, charges against, in case of Alejandra Malbarin	59
Chief of police of Manila, documents relative to peonage furnished by..	56
Clinton, Guy, acting division superintendent of schools for the Province of Bataan; communication from, regarding peonage in that province	63
“College Folio, The,” article in, entitled “Economic advancement among the Negritos of Pampanga”.....	45
Commission resolution of May 17, 1912.....	3
Commission bill of October 24, 1912, relative to slavery and peonage..	4
Commission bill of October, 1911, relative to slavery and peonage, tabled by Assembly.....	34

	Page.
Commission, action by, relative to legislation prohibiting slavery and peonage	76
Conner, Norman G., acting governor, statement of, relative to slavery in Nueva Vizcaya.....	50
Constabulary, Director of, failure to render assistance to Secretary of the Interior in securing information relative to slavery.....	74
Corrales, Gov. Manuel, report of, relative to slavery in Misamis.....	12
Crone, Frank L., Assistant Director of Education, statement of, relative to sale of Filipino children to Chinese, and sale of Filipino girls	65
Curry, Gov. George, statement of, relative to slavery in Isabela.....	21
D'Arcy, Albert, communication from, relative to abuses imposed on Negritos near Baler.....	64
Davis, Gen. George W.:	
Report of, on slavery in the Moro Province.....	5
Telegram from, to Adjutant-General, Manila, relative to slavery..	12
Dichoso, Francisco, governor of Isabela, letter of, relative to slavery..	8
Forbes, W. Cameron, Governor-General, reference to public speech at Boston, on slavery question in Philippines	37
Forbes, Hon. W. Cameron, Governor-General, cablegram from, to Secretary of War, dated January 22, 1910	69
Gallman, Jeff D., lieutenant-governor of Ifugao, 40 slaves liberated by	34
Hale, Walter F., lieutenant-governor, report by, relative to slaves in Kalinga	51
Hilantic and Rufino, Negritos kidnapped and held as slaves.....	43
Ifugao, slavery and peonage in the subprovince of.....	48, 99
Isabela, slavery and peonage in the Province of.....	7, 21
Jacobs, Lawrence M., report of, on a municipal ordinance forbidding servants to leave their masters	66
Kalinga, slavery and peonage in the subprovince of	51
Knight, Louis G., governor of Nueva Vizcaya, report from, relative to slavery	23
Laurel, G. N., lieutenant, Philippine Constabulary, communication from, relative to slavery and peonage.....	58
"La Vanguardia" for October 29, 1912, editorial relative to slavery...	35
Malbarin, Alejandra, of Manila, case of.....	59
Manila, slavery in the city of.....	47
McIntyre, Col. Frank:	
Statement by, relative to portion of Annual Report of Secretary of the Interior for the year ended June 30, 1910, regarding slavery and peonage.....	68
Letter of, to Acting Gov. Gen. Newton W. Gilbert, dated August 1, 1912	70
Misamis, slavery in the Province of.....	12
Moro Province, act prohibiting slavery in.....	5
Native press, comments of.....	67
Negritos:	
Adoption and baptism of, by Filipinos.....	47
Manner in which they are obtained for slaves.....	41
North, W. S., senior inspector, Philippine Constabulary, communication from, relative to capture of Negrito children.....	40

	Page.
Nueva Vizcaya:	
Slavery and peonage in the Province of.....	23
Test cases tried in the Province of.....	26
Occidental Negros, slavery in the Province of.....	20
Ostrand, Hon. James A., facts furnished by.....	52
Palawan, slavery and peonage in the Province of.....	6
Pampanga, slavery and peonage in the Province of.....	42
Peonage, definition of.....	4
Peonage at root of industrial system of Philippines.....	64
Peonage contract	66
Press, native, comments of.....	67
Prosecuting attorney of Manila, decision of, in case of Alejandra Malbarin	61
Quezon, Sr. Manuel:	
Claim of, that slavery does not exist in the Philippines.....	6
Reply to Governor-General Forbes's speech at Boston.....	37
Resolution of United States Senate of May 1, 1913, relative to slavery in the Philippine Islands.....	71
Rohrer, L. T., senior inspector, Philippine Constabulary, communica- tion from, relative to caciquism.....	54
Romblon, slavery in the Province of.....	16
Rucker, Kyle, lieutenant, U. S. Army, communication from, to ad- jutant, Camp Stotsenburg, relative to capture of Negrito children...	40
Sandoval, Manuel, Assemblyman, complaint lodged against	62
Sanz, Francisco, governor of Romblon, report of, relative to slavery....	17
Secretary of the Interior:	
Recommendation of, relative to action by Congress to prohibit slavery and peonage	4
Bill drafted by, relative to slavery and peonage	31
Certain pertinent facts cited by, relative to Sr. Quezon's claims in regard to nonexistence of slavery in Philippines.....	39
Statement of, relative to slavery, in annual report for year ended June 30, 1910	68
Memorandum of, for the Honorable the Governor-General, dated February 28, 1910	69
Report of, for the year ended June 30, 1911, reference to	72
Report of, for the year ended June 30, 1912, reference to	72
Letter of, to Insular Auditor, dated March 17, 1913	75
Secretary of War:	
Cablegram from, to Hon. W. Cameron Forbes, Governor-General, dated January 26, 1910	69
Extract from reply of, to President of the Senate, relative to records in War Department concerning slavery	71
Senate, resolution of, May 1, 1913, relative to slavery in the Philip- pine Islands	71
Slavery, definition of	4
Slavery in:	
Agusan	6
Ambos Camarines	14
Ifugao	48
Isabela	7
Kalinga	51
Misamis	12

Slavery in—Continued.	Page.
Moro	5
Nueva Vizcaya	23
Occidental Negros	20
Palawan	6
Pampanga	42
Romblon	16
Tarlac	46
Zambales	46
Sorenson, A. O., senior inspector, Philippine Constabulary, telegram of, relative to slavery in Isabela	7, 22
Supreme Court decision in case of slavery in Romblon	19
Taft, William H., Governor-General, letter of, relative to slavery in Isabela	8
Tarlac, slavery in the Province of	46
Tracey, James F., ex-justice of the Supreme Court of the Philippine Islands, reply to statement by, in New York Times.....	77
Zambales, slavery in the Province of.....	46

INDEX TO APPENDIX.

An Act defining the crimes of slave holding and slave hunting, and prescribing the punishment therefor.....	83
Typical cases of violation of the Moro Province antislavery law from the court records of said province.....	84
Report of Senior Inspector Sorenson, Philippine Constabulary, on slavery in the Province of Isabela.....	85
Decision of the Court of First Instance in the Tomás Cabanag case....	89
Decision of the Supreme Court of the Philippine Islands in the Tomás Cabanag case	91
Additional cases of slavery in Zambales.....	95
Additional cases of slavery in Tarlac.....	96
Additional cases of slavery in Manila.....	98
Additional cases of the enslaving of Ifugaos.....	100, 103
Additional cases of slavery in Nueva Vizcaya.....	104
Official correspondence relative to the condition of Negritos in Ambos Camarines	105
The "Edwards" memorandum and the reply of Dean C. Worcester thereto	108

