

PROGRESS IN THE HOMESTEADING

(Continued from page 9)

with interest, cannot be collected from the stepfather and the mother's estate, must, upon determination of this fact to the satisfaction of the court of first instance of the province, be paid by the treasurer from the assurance fund upon the court's order.

The point may not have direct bearing upon the Nueva Ecija case, and yet it may; for, the high court tampers in no way with the certificate of title issued, which, if the year of grace has elapsed, is the point the Director of Lands has fixed in respect to title by homestead patent. The case is R. G. No. 24597. The court sat in banc.

ged, alert, ambitious patriotic, obstinate, parochial, who always goes down with his colours nailed to the mast, but who always goes down.

"He may have in him the raw stuff of greatness. His compatriots are sympathetically expectant, if not excessively optimistic. Borah is a considerable figure, but scarcely United States, and I should venture to counsel Britons and other distant observers not to magnify him, even when he knows just what he is driving at, as he does not seem to have known in his recent initiative relative to certain supposed claims of America against Britain arising out of the war.

"From old British friends I have had many letters revealing painful emotions due to Borah. These letters are not surprising, but really nothing has happened to show that Borah is unfriendly to Britain, and if he were he would have small promise of getting far with his animosity."

"He is Chairman of the Foreign Relations Committee of the Senate?"

"Yes, by seniority."

"He is much in the news."

"Decidedly. But neither power nor wisdom is invariably conspicuous in the news."

"He is out for the Presidency?"

"I believe so. Most Americans are. But Borah as President, to entertain a more or less remote possibility, doubtless would be a very different man from Borah as vote-hunting politician."

"In one of my recent letters from England occurs this question: 'What is wrong with England from the American point of view to-day?' I would reply, having re-

Love Of regard to the sense of the writer, "Nothing." "Nothing" these years in England, perience over the length and breadth of the land and off the platform convinces me that the American people never before admired and loved England as they admire and love her to-day. To speak on any representative American platform since the General Strike of that magnificent fight that magnificent people for sanity in Government has been to bring the audience cheering to its feet.

"Some of us have grown grey fighting for British-American solidarity—and we have not fought in vain. Great Britain has her enemies in the United States, and she doubtless long will have them, for na-

Solidarity tionalistic resentments die hard, but the great body of American citizens is for the British peoples and their institutions up to the hilt. We want British-American solidarity in the Atlantic and in the Pacific and we want this solidarity to mean friendship and a square deal to every other people.

"There is one thing in the world greater than British-American solidarity, and just one, what the late Viscount Kato, of Japan, described in a talk with myself as a single human sodality. We want no so-called Nordic bloc nor a Latin bloc, nor opposing and potentially warlike blocs of colour. We want justice for all humanity, and the settled peace which can come only through such justice.

"That the Americans are against entanglements which entangle, there is no shadow of doubt. They are against any form of super-State. They are against all but inevitable encroachment upon the rights of the American States by their own Federal Government. What does this mean? It means that the American people intend to preserve their Home Rule, to preserve it not only against international centralisation, but just as far as practicable against domestic centralisation.

"International co-operation, so far as America is to have a part in it, must hold

Edward Price Bell Unbosoms To England

Dean of London Correspondents Talks of Pacific Problems

Editor's Note.—Ordinarily, as all readers have observed, the Journal publishes nothing but original matter; and when it digresses from this rule there is a paramount reason, for its chief object is to print informatively and intelligently respecting the Philippines. In this instance, the reprinting from the London Observer of that paper's interview with Mr. Edward Price Bell, London man for more than twenty years of the Chicago Daily News, the paramount reason is obvious in the text: Mr. Bell has returned to London after his trip to Manila and other points in the Far East with ideas upon oriental and world problems bound to have the utmost weight when he expresses them, as he does fearlessly and frequently. His oriental trip was in behalf of world peace; and in Manila his interviews were with Wood, Quezon and Osmeña, in Japan with Kato, Shidehara and Baneroff. The same problem still engrosses his attention. He writes "I'm enroute to France, Italy, Switzerland, Germany... world economies". Through his pen and his public speaking, Mr. Bell is a national and international power whose leadership guides many editors, and widely influences American opinion.

"I am very fond of the Japanese, and have every confidence that politically, socially, economically, and ethically they are moving in the right direction. I cannot escape the conclusion that if the Occident loses the friendship of those volcanically cradled islanders it will be the Occident's fault. China, to my mind, is the most moving and appealing potentiality on this earth—a great country and a great people staggering towards the path of a great destiny. There, too, the Occident can build friendship or enmity as it likes.

"The paramount interests of the Filipinos, as well as those of the Americans—those of the Orientals as well as those of the Occidentals—seem to me to require that the Stars and Stripes shall fly in the Philippines for a long time yet—how long, only the evolution of history can determine. The greatest work in the Pacific—indeed, in civilization—is the word equilibrium. In any form of listing there is danger. There is safety only in equilibrium; and America in the Philippines is a force for the equilibrium of the Pacific and of the world."

Mr. Bell then went on to discuss domestic concerns. He said:—

"To say the least of prohibition, its success is unproven. Our 'Drys' and 'Wets' are continually at And Drys each other, and their 'statisties' are fearful and wonderful. When they come together with their alleged facts and figures, one is reminded of two heavy freight trains meeting head-on at top speed. There is debris all over the adjacent countryside. My opinion is that prohibition, if not eternally repugnant to normal, self-reliant, freedom-loving humanity, is hopelessly premature.

"That some of the effects of alcohol are hideous no one will deny. But in America to-day it is not a question of alcohol or no alcohol; it is a question of abortive prohibition or temperance. Although prohibition doubtless has done great good in some ways, it also has worked disastrously in the spheres of morals, health and politics.

"As to war-debts, as I never have been able to believe that inter-allied war debts should be paid, so I never have been able to

War believe they could be paid. They strike me as a deplorable if not dangerous world nuisance. I think they could be wiped out with nothing but a temper to all concerned, and it is an abiding faith with me that advanced economic intelligence finally will liquidate them. Who can imagine that in perhaps five or ten years from now anyone in a position of authority still will be so much in the dark as not to see that profitable international markets are to be preferred to the continuous passing of heavy credits across frontiers?

"As to Europe's cry of Shylock at America, I think it were better hushed.

"It has been said we got rich out of the Great War. We did not. Like most other countries, we had the wild night of inflation—despite the rigorous taxation policy of our Treasury—and the bad morning of deflation. Our entire national machinery of production was thrown out of gear, and our industries passed through difficulties unprecedented in their history. Our farmers—60 per cent. of our people—are shaken to this day.

"Referring to American prosperity, it is true, if we except the agriculturists whose condition is only beginning to respond to the industrial boom, America is at the moment extraordinarily prosperous. But this is not war prosperity. It is not history-born. It is science-born. It is prosperity achieved by energy and intellect, advantaged by readily accessible raw materials and a wide, protected, high-consumption home market.

"Up-to-date American business directors will not look at the idea of low wages, for low wages spell business decline and threaten social instability. Capitalism in America is justifying itself by the only way possible—by universalising itself. Socialism fails. Why? Because it will not produce wealth. Of what avail is it to preach wealth diffusion while producing no wealth to diffuse?"

Discussing Senator Borah and British opinion, Mr. Bell said: "This favorite son of Idaho, a north-western State with a population about one-seventh that of the city of Chicago, appears to get more for his money when he steps on a foreign weighing machine than when he steps on one at home. Whatever his merits in American politics—and he is supposed to have some—Senator Borah is not addicted to felicitous international manners. If I might do so, with full respect, I should call him a rug-

involute the principle of national sovereignty and voluntarism. Am I suggesting, then, the irreconcilables of organization and no organization? I am suggesting free spiritual and intellectual co-operation. I am suggesting systematised corporate study of world problems. I am suggesting the specific disposition of specific matters by international agreement. Inter-

nationally, we must crawl before we walk, and walk before we run.

"I say the American people are heart and soul for seeking permanent world peace through steady, methodical, co-operative, non-constricted moral and mental pressure. Any machinery destructive of freedom of decision and action will spoil everything."

spouse may divorce be obtained. The middle ages presented nothing more revolting. But by customary law divorce may be quietly agreed upon between the families concerned. Incompatibility is recognized as a sufficient cause for legal separation. Property settlements are arranged, but imprisonment never thought of.

The probability of divorce is also minimized by native custom respecting marriage. Ninety years ago, Paul de la Gironiere, a French physician who lived twenty years in the islands and developed Jalajala plantation (now degenerating to wilderness once more), described the Tagalog peasant marriage custom which is still quite common:

"When once a young man has informed his father and mother that he has a predilection for a young Indian girl, his parents pay a visit to the young girl's parents upon some fine evening, and after some very

Observations on Filipino Customary Laws

First Paper: Laws the Tagalog Peasantry of Luzon
By WALTER ROBS

The extent to which customary law still prevails among the peasantry of the Philippines is interesting and valuable to note. Dr. H. Otley Beyer, the well known ethnologist, estimates that among Ilocanos nine disputes out of ten are settled out of court, by precedents established in customary law and decreed by the elders of the communities where the disputes arise. Many of the native customary laws, by which the people are really governing themselves, are superior to the statutes enacted as the law of the islands. The Dutch, farther south in Malaysia, long ago saw fit to establish courts of customary law, never thinking of imposing upon the peasantry any other. They have recently been compiling these laws, with a view to their codification for more convenient administration. In this task they asked the Philippines to assist by compiling the customary laws of this archipelago. A committee was appointed, only to do nothing, as is the easy habit here; so the Dutch stepped into this field too and actually compiled two volumes of our ancient native laws, many of which are still in force among the people by simple and voluntary practice.

Toward the printing of one of these volumes, the generosity of the senate president caused him to allot a small sum from a fund then at his personal disposal. That seems to have been the extent of official interest in ascertaining anything at all respecting the laws by which the large majority of Philippine people live.

If however the native culture were no longer to be despised, if the customary laws that are wholesome were embodied into a code of legal procedure—such laws, for instance, as preserve the respect of youth for age, and the community authority of venerable persons, and especially such laws as tend to sustain the native concept of the family—nothing at least would be lost. The gain, one is tempted to believe, would be incalculable. For it is more and more apparent, as our mere statutes are working, that every substantial tradition and custom of the people is set at naught—to the detriment of public welfare. Men of maturity, to say nothing of really venerable men, have practically retired from the field of public affairs. Callow youths, cultured in nothing less than in their racial history, have supplanted these elders to no public advantage whatever.

The violence of the change amounts almost to a revolution. The question is, and it is serious: Is the native character of the people sturdy enough to survive this violence without precipitating social chaos; and would the native character of any people be sufficiently sturdy to survive such violent and wholly exotic pressure? It may at least be doubted.

The customary laws often shine behind the statutes in comparison. Divorce laws are an example. The statute is barbaric; the customary law benevolent, considerate and enlightened. Under the statute, a

spouse to obtain divorce must put their mate in prison, by the public testimony of witnesses to the act of adultery, or by the accused's own shameful confession; and only from this disgraced and imprisoned



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