



# LT AMZI B. KELLY

MARCH 3, 1930

SECTION A, PLOT 1E, GRAVE 11H



*Lieutenant Amzi B. Kelly was a veteran Army officer who after separation continued to practice law for three decades before his death in the Philippines on March 3, 1930. He was the Democratic Alternate Delegate to the Democratic National Convention from the Philippines in 1912 and 1928 and a member of the Committee on Permanent Organizations in the Philippines, he also served as the Civil Treasurer of the Province of Nueva Ecija.*

*He was an outspoken and strong advocate for the rights of Filipinos and a published author. He argued many prominent cases before the Supreme Court and once defended himself from a contempt of court charge. The Supreme Court cited Kelly for Contempt of Court and Libel and sentenced him to jail for a book he wrote in 1916 called "General Mariano Noriel Innocent" which was highly critical of the Supreme Court. He also wrote a scathing open letter accusing the highly well known Governor of Nueva Ecija of corruption. He was not afraid to take on controversial issues or buck the establishment.*

*The earliest found record of his trial experiences was August 27, 1908 when he argued on behalf of the Appellee before the Supreme Court re Docket G.R. No. 4384. He later wrote another scathing article, this time a book entitled "General Mariano Noriel Innocent" (Manila 1916) (also known as "The Killing of General Noriel"). The book charged that three American Judges hung three innocent men, General Mariano Noriel, Mayor Luis J. Landas and Roman Malabanan. General Noriel was quite famous, he was part of General Aguinaldos' revolutionary government and one of his top two generals. He was President of the revolutionary Philippine Council of War that tried the Bonifacio brothers (Andres and Procopio, Andres one of the heroes of the country) and later responsible for guarding them and eventual execution. Later, the General himself was charged with murder of a man in Cavite in 1909 along with the other two defendants. The three were convicted of murder and sentenced to hang. LT Kelly appealed the verdict on behalf of the accused, however the execution was accelerated to occur at 0630 on the same morning the court was scheduled to hear the case on January 27, 1915.*

*A newspaper article "The Filipinos Lose An American Friend" by Walter C. Hudson ran in the Detroit News attesting to his Kelly's advocacy for the rights, cause and benefit of Filipinos.*

*BELOW IS A EXERPT FROM BOOK ON THE KLLING OF GENERAL NORIEL BY AMZI B. KELLY (1916):*

*General Mariano Noriel, Mayor Luis J. Landas and Roman Malabanan are innocent. They were tried, convicted and hanged at 6:30 A.M. January 27, 1915. This was as horrible a deed as ever festered in the brain of man. The book is a profusion of legal documents, evidence and proof of the wrong doing by three American judges and the result of judicial criminality and carelessness, army meddling, executive stupidity, official corruption and inefficiency in the Philippine islands among as good a people as any on earth and the easiest to govern. Kelly went on to proclaim in his 'author's notes' "Within I have exposed a great crime and show plainly the causes that have contributed to its commission. I have pointed out the errors of all those men on the sad road; I have given instructions to avoid in the future these errors; I have strongly condemned the improper acts of three American Chief Executives, W. Cameron Forbes, Newton W. Gilbert and Francis Burton Harrison, but in no way have I criticized, condemned or exposed their acts from a political point of view." The book is a marvelous piece of legal work, loaded with evidence, exhibitions, declaration of the witnesses, questions and answers, perjury, corruption of witness defense, great mistakes of judges, order, affidavits and much more . A massive document proving the innocence of the convicted men.*

*BELOW IS A SUMMARY OF AN OPEN LETTER CONCERNING CORRUPTION IN THE PROVINCE (1902):*

*There have been occasions when the authorities of the civil government have fallen out among themselves. Most cases, the public, as a rule, hear little about. In the case of Amzi B. Kelly, Civil Treasurer of the Province of Nueva Ecija, a most interesting tale was unfolded to the public, interesting as showing the real opinion of those at work in the Provinces under the civil government, and while their salaries are dependent upon it, they are not only loyal and faithful servants of the Government, but make glowing reports which they know will please the Commission, but which in many instances, the majority of people not belonging in Government employ, know to be either false or misrepresented. Mr. Kelly is evidently an honest man, if he is somewhat indiscreet. He discovered what he considered to be a deliberate fraud on the part of the native Governor, and publicly charged him with it, reporting it to the Commission. The Governor of the Province being an influential man, the Commission did not desire openly to take any action. They thought it better under the circumstances to remove Mr. Kelly to some other sphere of duty, but Mr. Kelly strenuously objected to being transferred and demanded a full investigation in public. Thereupon the Commission removed him from office. Mr. Kelly went to Manila and wrote out his views on the subject for the public press, and very interesting they proved to be, a thorough exposure of things connected with the civil government, by one of its employees. Of course, allowances must be made for the fact that Mr. Kelly was bitterly indignant at the treatment he received, and his views are probably somewhat biased, but there is such a stamp of truth in all of it, that, making due allowance for excessive indignation, Kelly's article should be accepted entire. It was published in the Manila "American," a week or so after his dismissal from office, that paper taking considerable risk of being charged with sedition and treason. The following is a copy of the his open letter that led to his contempt of the court:*

*Amzi B. Kielly, ex-Treasurer of the Province of Nueva Ecija, believes that the Government is making a mistake in its methods of governing the Islands. In an open letter, he points out where he believes the Government's policy is weak, and gives some good advice to the Civil Commission. He brings to the attention of the public the grave charges which he is prepared*

*to prove against Governor of Nueva Ecija, Epifanio de los Santos, who was retained while the charges were impending. The letter, together with affidavits in support of the charges against Santos read as follows:*

*From the Office of Amzi B. Kelly,  
Attorney at Law.*

#### *AN OPEN LETTER*

*To President Theodore Roosevelt, Members of the House of Representatives, and the American Public; Acting Civil Governor, Honorable Luke E. Wright and the Members of the United States Philippine Commission, who on May 16th, 1902, dismissed me as Treasurer of the Province of Nueva Ecija, for the reason that I had made charges affecting the character and integrity of Epifanio de los Santos, Provincial Governor of Nueva Ecija, and that I then and there branded him as an infamous rascal, and unworthy to longer continue as Provincial Governor and stood ready and eager to prove my assertions.*

*The object of this letter, is to right a wrong, vindicate the honor of my country for the benefit of the people of this whole Archipelago, especially the ignorant and the poor, and I intend to fearlessly, frankly and honestly explain through the press, through letter, and if necessary, in the lecture hall and upon the stump, the true conditions, as they exist in the Provinces in the Philippine Islands, the terrible condition of the poor people and the unwise policy and acts of the present United States Philippine Commissioners, and their apparent total disregard of the rights, liberties and good of the masses of the people, to turn full upon their heads the weight of their bad judgment; and to show up in all its ridiculousness their weak policy. And further to show to all the world that when I stated that Epifanio de los Santos, Provincial Governor of Nueva Ecija, was a rascal and corrupt official, and that his retention in office and my dismissal was a fatal blow at good government, a bad example for the people of this whole Archipelago and a disgrace to the name of America, that I spoke the truth, and nothing but the truth, so help me God. And, I now add to that statement, that such unwise acts by the members of the Commission may be the beginning of their end. Not of the end of a strong minded Commission, but the end of the present apparently weak uninformed members of the Philippine Commission of this day. I unhesitatingly concede to Luke E. Wright, Bernard Moses, Henry C. Ide and Dean C. Worcester, honor and integrity. But they have not left the impression that they are men of good judgment and strong mind, needed at this critical day and time to govern these Islands.*

*From out your palace windows you view' these Islands. Those who meet your gaze clad in white collars, white clothes and patent leather shoes sail swiftly by in carromattas, calesas and victorias. In your office and in the legislative hall you meet only the bowing and scraping, college-bred hombres, those who have done more than all else to drench this land with blood, and to-day still stand masters of the situation.*

*Come with me into the Provinces. Visit the barrios and the cocoanut groves, the rice fields and the fishing ponds, — there you will find the masses and majority of the people in this land. There you will find the hombres behind the guns. Those with whom you deal are the men behind these hombres, have a talk with these old bullies, — they know naught of Spanish, less of English ; honest, ignorant, timid, poor, barefooted and ignobly clad. For three hundred years they have been dominated over by this sacerico element ; have obeyed without a murmur*

*their every command, perjured their souls in hell at their behest, sacrificed their daughters upon the unclean altar of lust. Why? They knew that to refuse meant prison, torture and death, and the same condition exists to-day, and that too, under the banner of freedom. Listen and I'll prove it. Not with words from my own lips, but with quotations from the sworn statements of seven of these poor, ignorant people, and which you could have learned by an investigation of ten minutes, or taken the word of an honest American.*

*I hold in my possession the sworn affidavits of six poor men and one illiterate woman, whose names are Candelaria de los Angeles, Norverto Cajucom, Pablo Mauricio, Mariano Castro, Esteban Hilario, Isaac Cauman and Cecilio Hurgues, residents of Cabanatuan, to the effect that this man, whom you call the Honorable Epifanio de los Santos, and whose character and integrity you dismissed me for assailing, while Provincial Treasurer of this Province, forced them to come into San Isidro, and in his residence sign a forged and false will. They will tell you, too, under oath, that he wrote on a slip of paper for each of them what he knew to be an infamous lie, and told them, if they did not swear it was the truth, before the Judge of First Instance, that he would place them in jail. They will tell you also that during this last month of May, while I was in Manila, working for the betterment of these people, and his dismissal, that he, as Governor of this Province, was instructing them and attempting by intimidation to again get them to perjure their souls in hell, by swearing that there was but one will, and that was the false one which he made, or had made. That ignorant old woman will tell you under oath that she paid him 800 pesos for "paper, ink and trouble," that she gave him in his hands 600 pesos, and gave to Ramon Tombo, his hireling, 200 pesos; she will further tell you that he told her and these old hombres that this forged document was nothing but a copy, and that there was no harm in what they were doing. She will also tell you that she employed a Filipino lawyer in Manila to defend her; and that he came to this Province supposedly in her interest and that he instructed her to swear that there was but one will while he held in his hand two, the original and the false. She will tell you that at ten o'clock, one night, under guard, she went to the residence of Amzi B. Kelly, and in the presence of his wife and Mr. Wilson, told him in broken Spanish that she had "much suspicion" for her lawyer; and, placing her two fingers together, timidly showed us how he and Santos stood.*

*These old hombres will tell you that they too had employed this same attorney an ex-schoolmate of Santos but when he instructed them to swear there was but one will, when they knew that they had signed two as witnesses, and that they, too, had "much suspicion," and denounced in open court, trembling with fear; they told the Judge of First Instance that they wanted an American attorney to defend them.*

*Did you say "Hurry along," gentlemen? No. Come to my residence, in San Isidro, and I will show you a sacred last will and testament made by old Petra Marian, dated, July 27, 1900. It is signed by ten people as witnesses. Right by the side of that I will place before your eyes the copy, or false will made by, or by the direction of your beloved Santos, and dated, March 4, 1901. It is signed by only six people as witnesses, and one of these did not sign the original. "Hurry along!" No, be patient; that is not all. I will show you a death certificate signed by the padre of Cabanatuan, and bearing his seal, which states that this poor old woman died July 28th, 1900, and was buried and received all the sacraments, July 29, 1900. Right by the side of that, I will place another death certificate, signed by this same padre, but without his seal, and doubtless made by Santos or his hirelings, stating that this same old woman died March 7, 1901, and was buried and received all the sacraments March 8th, 1901. Now what do you think of that? This old woman died, was buried, and received all the sacraments in July, 1900. Then she waited a year and went through the same performance. In addition to that, July, 1900, she made her will,*

died and was buried, remained in mother earth for a year; then arose, made a copy of this will and dated it, March 4th, 1901. That's what Santos says, and as the papers were gotten from his hands, it must be so, and Santos is an "honorable man" so it appears, says Luke E. Wright and the members of the Commission. After seeing this, there is but one of three conclusions, namely: Nueva Ecija has produced a remarkable old woman or a more remarkable old padre; or a most remarkable old governor; and I'm inclined that the latter conclusion will hit the nail square on the head. Now, is not this a nasty mess?

Haven't you discernment enough to see that in your bunglesome and weak endeavor to keep peace, you have been the cause of subordinating peace?

And what you have read is not all of his rascality, but God knows, it is enough at present. Did someone say, "Why don't you swear out a warrant for his arrest?" No!!! As representative of the civil government, I did that in this Province, and had put on trial, before this Filipino judge as guilty a man as ever faced the bar of Justice. He was turned foot loose. No, I do not wish to have him put in jail. It might interfere with his term as governor. I wish him to reign in all his rottenness so the little children of this Province can point their innocent little fingers at him, and exclaim: "Behold there is our governor, the ward of the Federal party, the pet of the Commission and the blot of infamy upon the cheek of Columbia."

This is the same class of hombre and his infamous associates, who for three centuries have intimidated, abused, oppressed and enslaved the masses of these people; the ones who in the insurrection against the Americans, placed arms into the hands of these ignorant hombres and by sheer force of intimidation and threats of torture compelled them to fight and die like rats in the trenches before my countrymen. I say to you today, that if insurrection, revolt and rebellion against the American Government is ever to cease, it will be when every living one of these poor men and women are instructed and shown positively that they, too, though ignorant and barefooted, are creatures of Almighty God, and that they are not compelled to bow to the behest of this high element and slavishly obey their every command. When we show to them upon every occasion, by example and by our actions that whenever the humblest of all that mighty host informs the officials or any citizen of the American Government, that a Filipino or American clothed with the garb of official capacity, this man of wealth, power and influence, is a rascal, corrupt or oppressive, that then and there stands at their backs for their protection and defense, eighty-five million Americans, every foot of that sunny soil, every dollar, silver, gold and paper in that American treasury, every soldier and every gun that we can muster, every pound of ammunition that is in our arsenals, and every boat of our mighty navy is at their service, demanding and compelling an investigation, and if what they say be true of this man of power, no matter what his position or wealth, he will then and there be tried, convicted, and if necessary hanged then, and not until then, can you safely sheath the sword and wield the pen.

What great lesson have these poor people been given in this regard by the actions of the Philippine Commission in the Nueva Ecija scandal? There I stood, an American, my honor and integrity unquestioned, my record unchallenged, thinking of the honor of my country and the betterment of those people above all else, conscientiously and with all the power that God gave me, denouncing as an infamous rascal the governor of this Province, begging and pleading that an investigation be made, and if what I said be true, that he be dismissed and no longer allowed to stand as the highest official in this Province; a damnable blot and an infamous example to the youth, children and ignorant poor of this land, and what was the result?

*“He may be, Mr. Kelly, all that you say he is, but we wish you to transfer. Harmony cannot longer exist in that junta with you and he in it.”*

*“But, my dear governor, you must remove the inharmonious key. Well, but, Mr. Kelly, we don't wish any ladrones to take their guns and go to the mountains in that Province; we will investigate him later.”*

*Did ever grown men clothed with the power of the governorship of a country suggest and later carry in execution such an injudicious act? Rather than make an investigation of ten minutes, they allow a rascal to remain in the position as governor and dismiss an honest treasurer. In reply to that, I frankly tell you, “Of course, you did not know it.” And that is one of the strongest reasons why I say that your administration of affairs demonstrates the weakness of this government, it is your business to know it; you approve the appointment, election of these governors and treasurers, and the Filipino and American people hold you personally responsible for their conduct and their character. They may excuse you, as they have often had to do before, for putting a rascal in an official position when you did not know it. But when they read over my letter, later my telegram, then my words before you, on May 16th, and then investigate the records of your palace and find therein, in addition to my honest statements, sworn affidavits as to the rascality of this man, which had been on file at least two months, they will never excuse you for such a blunder.*

*The words that you said to me in regard to the Province of Nueva Ecija, may yet be hurled back in your face by eighty million freemen: “Your services, gentlemen, as far as the government of the Philippine Islands is concerned, are at an end.” “The day of your destiny is o'er and the star of your fate hath declined.” By your actions you are judged. You dare not deny that your policy keeps in office corrupt officials, for by the grace of God, you have done the deed. Nay, more ! You have not only placed in official positions in the Philippine Islands men who are notoriously corrupt, but you have actually dismissed an honest official in order to retain in power and position such a one, and why have you done this ?*

*In order to carry out a weak policy you foolishly listened to the whisperings of the party federal. They tell you, “Gentlemen, this man whom Mr. Kelly has denounced, is an influential man in the Province of Nueva Ecija, and his dismissal just at this time may cause his followers to take their guns and go to the mountains.” And what do you do? You tremble in your boots. You know in your hearts the man is corrupt, but for fear that you hear again the crack of the Krag-Jorgensen and the Mauser, you timidly ask the honest man to transfer, and later foolishly dismiss him and retain in office a corrupt and infamous official. And why? Because you are pigmies and not giants, because you are absolutely ignorant of affairs as they exist in the Provinces.*

*What would the strenuous Roosevelt have said and done (he who purified the New York police force) to these influential federalists? We all know that he would have reached out that strong iron hand, grabbed the gentleman by the back of the neck, slammed him up against the wall, and in words of fire, told him “Quedao, hombre! If you are here to assist in the government of this country, and to make suggestions for the betterment of your people, I'm with you. But if you're here to attempt to foolishly influence me, retain in office a rascal and back up your damnable suggestion by the statement that if I do not do it, there is liable to be another war, I'll tell you frankly, as a representative of the American people, that we prefer war to dishonor, and that the official of the American Government, not in America, but in Porto Rico, Hawaii and the Philippine Islands, stands flat-footed and uncompromisingly for honest and upright servants. And whenever you and your followers wish to revolt against this policy, and take to the mountains, the bars are down and the*

*gates are open, and I'll put an army of Americans in that Filipino field, and in less than three months they will wipe you and all your busy tribe of mischief makers off the face of the earth."*

*That is the kind of talk we want as members of the Philippine Commission. We've got 'em in America, and we demand 'em in the Philippines. The people of this country are weak ; the government shall and must be strong. This smoothing over and excusing of rascality is nonsense and unAmerican. You cannot stop this rotten Filipino bull by grabbing him by the tail ; you've got to take him by the horns. This winking and blinking at corruption has got to cease and the time for action is now. This dilly-dally policy is a disgrace to our country and an infamous example, and if we cannot today peaceably fire out every one of these corrupt officials, from police to governor, I, for one favor their dismissal, even though the very imps of hell rise in revolt. Why wait for two or five years hence? The issue has got to come ; our swords are sharp, our arsenals filled with ammunition; our guns cleaned, our colors yet uncased, our men used to hiking, their eyes and hands are better trained to-day than they will be then.*

*Down with corrupt officials. Up with honest men. Out with the weak commissioners.*