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With a swiftness hardly in accord with judicial deliberation, the secretary of the navy has approved the majority report of the court of inquiry in the Schley case, overruling Dewey's minority report in so far as it differs from that of the majority and rebuking Dewey for giving to Schley the credit for the naval victory of Santiago. The color of partisanship is thus heightened, and the apparently predestined result of the inquiry made officially complete.

Had the Schley matter been referred to an unbiased court, its unanimous decision ought to have been and doubtless would have been generally acquiesced in. But the circumstances now fairly indicate that the court was "packed" against Schley; and that Dewey's presence upon it was designed only to conceal the "packing." It seems to have been intended merely to inspire public confidence in the deliberations of the court, and to secure for its conclusions that public respect which the names of the two bureau admirals who composed the majority could not, but which Dewey's name could, command. In consequence, the whole controversy is as unsettled in the public mind to-day as it was before the court of inquiry organized.

Even Dewey's concurrence with the bureau admirals, on disputed points involving Schley's record, begins to lose its force as public opinion admits the reasonable suspicion that he was embarrassed by the partisan rulings of his associates, against which he could oppose only one vote to two. It is not difficult to conceive that in

these circumstances—knowing also as he must that their votes were in harmony with department sentiment while his distinctly jarred upon it—Dewey may have neglected to express in his minority report his dissent upon every point of dissent. If that was the case, the majority and the minority reports taken together show him to have concurred in criticising Schley upon points regarding which he did not intend to criticise. This theory regarding Dewey's minority report may not be true. But it is probable under the circumstances, and the probability destroys the value of the adverse majority report in those respects in which it was apparently unanimous, as completely as in those regarding which Dewey specifically dissents.

The secretary of the navy was unable, it appears, when writing his decision, to resist the temptation to indulge in a bit of disingenuousness. Regarding Dewey's recorded conclusion that Schley was in command at the battle of Santiago and is entitled to the credit for the victory, a subject upon which the other members of the court expressed no opinion, the secretary decided that "the conduct of the court in making no finding and rendering no opinion on those questions is approved." But not satisfied with this conclusion, he slipped in a reason, saying: "Indeed, it could with propriety take no other course, evidence on these questions during the inquiry having been excluded by the court." That has an exceedingly judicial sound. It implies that the whole court, Dewey included, had agreed to ignore those points. If that implication is true, Dewey is in the position of having recorded a conclusion upon questions which he himself had agreed were not in the case. And this is the position the secretary has evi-

dently aimed to put him in. But is it probable that Dewey would have recorded a conclusion upon those questions as part of his verdict if during the trial, he had agreed with his associates to ignore them? There is a slang term for men who do that sort of thing. It is "chump." Isn't it really much more probable that Dewey was overruled on these questions, during the trial as well as in the verdict, by the two bureaucrats who composed the regular and reliable majority of the court? Yet, if that is so, the secretary is guilty of having allowed his judicial scales to get out of balance. He has, upon that supposition, rebuked Dewey for not allowing the majority of the court, who could silence him during the trial, to silence him also in the decision; and has done it in such a way as to imply that Dewey's finding was inconsistent with his own previous rulings. This reasonable supposition, should it prove to be the truth, would be additional evidence of the unfair intentions of the department, in creating the Schley court of inquiry. It would go still further to show that in sandwiching Dewey between two bureau admirals, the purpose was to secure for the court's decisions the benefit of his name without allowing him to influence its action.

Though the majority report condemns Schley, and the secretary of the navy approves it, no fair-minded man, cognizant of the circumstance of the trial, will condemn Schley for that reason. Department records may have settled the question finally for department purposes, but to the public the whole question is still open. And before this greater tribunal, Schley's case is strengthened rather than weakened by the secretary's action.

Incidental to the Schley case is the

double reprimand of Gen. Miles, administered officially by the secretary of war under the president's orders and unofficially but characteristically by the president himself in a personal interview. Of the official reprimand we do not venture to speak. Presumably it was regular in form; and clearly it was deserved, according to the rules of military discipline which forbid military servants from expressing praise or censure of other military servants. Gen. Miles had commented upon the verdict in the Schley case by saying in a public interview that he thought Dewey's summing up of the matter would be indorsed by the patriotic people of the United States, and that he had no sympathy with the efforts to destroy the honor of Schley. But while the official reprimand of Miles may have been just, under the rules of military discipline, there is something sadly shocking about the personal reprimand by the president.

According to the report of the Chicago Tribune, the leading administration paper of the west, the president—

received the lieutenant general commanding the army in one of the window seats of the president's office, and flayed him alive for the interview he gave out at Cincinnati. The president went at his work with the impetuosity characteristic of him, and was so much in earnest, and felt that Gen. Miles was so much to blame, that he made no attempt to conceal the matter. On the contrary, it appears to be true that Gen. Miles was humiliated by having the scathing rebuke heard by many other people. According to common report it was more severe than the official letter of censure signed by Secretary Root, but which is understood to have been practically dictated by the president himself.

Such conduct may become an officer, even one of the highest rank, but it does not become a gentleman of any rank. And when it proceeds from a military superior to his military subordinate, who is denied the ordinary human right of replying in kind, it is cowardly. These rules are of universal application. They hold good all the way up from master and servant in private life to commander-in-chief

and lieutenant general in the military service of the United States.

Moreover, the fact that the reprimand in this case came from a superior to a subordinate in military station, cannot wholly obliterate the further fact that the superior in station was a young man of very limited military service, while the subordinate he thus brutally reprimanded was a gray-haired veteran of 40 years' service, who had risen from the ranks through the terrible ordeal of the civil war and a series of ordeals even more trying in the Indian country after the civil war. This consideration alone, had there been no other, should have shielded Gen. Miles from the humiliation of the insulting interview recorded above, though his offense had been ten times greater than the breach of military etiquette for which he was berated. For that offense, a formal written reprimand from the department, much milder than the one that came from the department, would have been severe enough punishment, without the added indignity of a tongue-lashing at the White House.

If Gen. Chaffee isn't more careful he will get the deadly reputation at Washington of the unfortunate parrot which talked too much. His observations regarding the patriotism of the Filipinos, made in reviewing a number of court-martial decisions received at Washington from the Philippines last week, is exasperatingly out of harmony with the whole theory of the American invasion of the Philippines and the destruction by American arms of the Filipino republic. All along have the American people been assured that this invasion was not only in the interest of the Filipinos as a whole, but that it was in accordance with the real desires of all but a few ambitious agitators. And now Gen. Chaffee, who is upon the ground and whose testimony has at least the force of an admission by an adverse witness, recklessly discredits these soothing assurances. He testifies that the whole

Filipino people are bitterly hostile to the American occupation. "History affords no parallel," he says, referring to the Filipinos, "of a whole people thus practically turning war traitors." That is a refreshing confession. It discloses the fact that the difficulties of conquering the "little brown men" are attributable not merely to a few agitators, but to the universal sentiment of the subjugated inhabitants.

In one respect Gen. Chaffee is mistaken. He says that "history affords no parallel." No parallel to what? To "a whole people thus practically turning war traitors?" War traitors to whom? To foreign invaders. But history is rich in such parallels. The trouble with Gen. Chaffee is that he is misled by words. This action of "a whole people" in revolt against a foreign invader he calls treason; whereas history always calls such revolts patriotism. Let Gen. Chaffee substitute "devoted patriots" for "war traitors," and he will find historical parallels in abundance.

The announcement this week of the hanging in the Philippines of a brother of Sixto Lopez, ought to awaken the American people to some realization of the official infamies that are being perpetrated in those far-off islands in their name. The reported charge against the young man was that of holding "treasonable communication with the insurgents." Think of it! His own countrymen, his own friends, his own neighbors, his own compatriots by ties of blood as well as love of country—these were "insurgents" and "enemies" with whom he must not hold patriotic communication, in his and their own country, against the military interest of an alien invader whose armies have come ten thousand miles over sea to "regulate their lives and do them good"! And for so communicating with them, he is ignominiously hanged. Is there no righteous wrath left in the American people that they sanction, though only by silence, such an outrage upon what they used to