

LIBERTY

The Story of Cuba

by
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New York 1932
BREWER, WARREN & PUTNAM INC.

Gomez circled about frantically, crying out to the nearest men to spread out and cut off the nearing enemy. The only necessity in the world at that instant was the tragic one of moving Martí's body to safety.

But in the rapid Spanish advance someone recognized Martí, caught up the body, flung it across his horse and started with it to the rear. A bewildering fire assaulted the whole Spanish detachment, which withdrew under forced march, leaving only a rear guard to the task of burying their dead. The body of "The Master" was lost to the Cubans.

At this juncture legends of mysterious messages exchanged between Sandoval and Gomez are to be found. One story that travelled by word of mouth was said to be simply that the body of Martí would be given sepulchre in the first available cemetery; the message was further said to have been delivered by a woman who lived in a "bohio," or palm-thatched house, near the scene of the encounter.

A written message is said to have been this:

Early in 1895 Captain General Blanco had directed the Civil Governors to instruct all authorities to "prohibit Masonic lodges from holding meetings during the present conditions."

This followed a precedent established in the Ten Years' War when all Masonic rites and meetings were suppressed. It was believed by the Government, with some reason, that the Cuban Masons were in deep sympathy with the insurrection. Antonio Maceo himself was said to have been inducted by his father into the order while he was still very young. And, as time went on, especially in Oriente, and especially to the Spaniards, the term "Mason" grew synonymous with "rebel."

Both Ximenez Sandoval and the doctor attached to his

Sandoval 

Martí 

column were reputed Masons. So was Martí. So were many Cubans and some Spaniards whose families were, nevertheless, devout Catholics. It was undoubtedly a fraternal brotherhood of Sandoval with Martí that led him to remark, when Martí was buried at Santiago, "He was our enemy in life, but we do not fight the dead." This type of thought was so rarely found among the Spanish that Sandoval immediately captured a certain Cuban respect.

Martí was first buried at Remanganaguas, but the General in command ordered his body exhumed and an autopsy made so there could be no later dispute as to his identity. He was supposed also to have been embalmed, but when the body arrived at Santiago it proved to be in a shocking state. It was recognizable, however, and conclusive identification was made from articles in the pockets of his clothes and his saddlebags. The white horse Martí had ridden when he faced what was to be his death volley had been captured. It was also taken into Santiago.

There was tumultuous Spanish rejoicing at Martí's death. The Queen Regent and the Minister of War cabled from Spain to Sandoval, who replied appreciatively, assuring his ruler and countrymen that, in Martí's death, the revolution had received its death blow. He graciously commended the valor of his troops and was rewarded for the whole incident with a cross, carrying with it a pension; decorations and promotions were flung to the officers who had served with him at the time, among them the one who had cried out, on seeing Martí's pitiable end, "That is the agitator of Key West!"

So goes military fame. If it had not been Martí who was killed, but his companion, the loyal Angel de la Guardia, there would have been no commendations for the troops, no flowery messages from the Queen Regent and the War Minister, no promotions, no decorations, no pensions, no rejoicings.

And in the Cuban camp that night?

Gomez wrote briefly, "It was not necessary to sound taps. The camp was silent."

The jury retired and a considerable time passed, giving us an uneasy feeling about the verdict. Finally the men returned to their seats, looking uncommonly solemn. The prisoners leaned eagerly forward in their places. One audibly bit his nails, though he had a reputation for heroism in battle.

When the foreman stood up and slowly pronounced the verdict, "Not guilty!" a roar of applause swept over the court-room. The Judge pounded with his gavel, but there was a rush to congratulate the erstwhile prisoners.

The news flashed through the city. A block below the court-house the American flag was hoisted on the police station. The Judge discharged the jury and quickly retired, leaving a court-room filled with buzzing humanity. I wondered whether, when he pounded so vigorously for order, he had not been subconsciously applauding the verdict. Wilmington, indeed all of Delaware within commuting distance, had been aroused by the trial.

A demonstration and parade were arranged for that night. Residents along the line of march were requested to light their houses brilliantly, and to fly as many flags as possible. Torches were carried in the parade. Veterans of the Civil War, the Young Men's Democratic Club, the Young Men's Republican Club, various associations of Masons, Odd Fellows, Elks and others, and thousands of private citizens formed a torrential parade that poured through the streets. The recently liberated Cubans drove in carriages and were enthusiastically acclaimed. Even counsel for the defense was hauled along in a stately open carriage. Later there was a hand-shaking scene of vast dimensions at the Senator's house.

As for the expeditionaries, they were given a gala supper by the management of a visiting musical comedy company. The girls of the chorus attended with a will. Although many of the Cubans spoke no English, they could make themselves understood through the more universal language of Venus and Mars.

Later we discovered that the jury had been slow in reach-

ing its verdict because, on the first ballot, eleven jurors were for acquittal and one for a finding of guilty. A juror thereupon took off his coat, lit a cigar, tilted his chair against the wall and announced solemnly, "Gentlemen, my father once held out on a jury for 40 hours; I am here to break his record if necessary; I am for acquittal."

The jurymen had glared at one another, and the question flew about, "Who is against us?" A juror suggested taking another ballot. Immediately he was pounced upon as the recalcitrant, without any chance to make his position clear; his character was discussed by the remaining eleven in no uncertain or flattering terms.

A ballot was taken. The son of the illustrious holder-out was to lose his chance to beat a record, for the vote was unanimously for acquittal.

"Come along!" cried the foreman.

"Not I," retorted the coatless aspirant for the record, gazing appreciatively at his glowing cigar. "I am not going to spoil a good cigar by letting it go out. That fellow made me light it; he is responsible for the delay and we shall have another chance to tell him what we think of him as I go on with my cigar."

Thus it had been a cigar which kept my prisoners in suspense for so long. Later it developed that the opposing juror was one who had been noticed talking with an emissary of Spain's interests; the result was a quiet boycott of the man, who had, finally, to sell his business and leave Wilmington.

The day after the verdict, the Wilmington Masons entertained the Cubans, many of whom were fraternal brothers. I had to go on to Wilmington, N. C., where the Federal Government had libelled the steamer *Commodore* together with arms and ammunition in her cargo. I heard from local attorneys that there would be no trial of the libel until the regular winter term of the U. S. District Court which had jurisdiction. Meanwhile the *Commodore*, purchased by the Junta, would be out of commission and the war material in-

the District Attorney are being questioned." I then emphasized that the *American* Government had ordered *its* Federal District Attorney to request that an attorney for the Government of *Spain* appear in a case entitled *The United States versus The SS. "Commodore."* This fixed, I gave over objection to the man's appearing as "counsel" to the U. S. District Attorney. Spain could not possibly be a party to the record and, except by consent of a servile American administration, should under no circumstances have been permitted to prosecute an American vessel in an American court, for forfeiture to the United States on a charge of violation of the American law.

A retired member of the Cabinet in Washington was taken as a partner in a law firm directing Spain's activities in the United States. It has been shown how we fought to keep the famous package out of evidence in the Wilmington trial. Within a year there was published in English, for distribution in Washington, a Spanish Legation report in which the following comment was made on the Delaware attempt:

"There was found in possession of the men when arrested letters addressed to General Maximo Gomez, to the Marquis of Santa Lucia (the President of the Cuban Republic at the time) and to the Chief of Communications at Camaguey; also gifts of stylographic pens for General Gomez and others from Gonzalo de Quesada."

These were the things which were in the package the Judge ruled could not be introduced as evidence, since to admit them would violate constitutional rights. It later developed that this package had been opened in the presence of Spanish agents by American officials.

Many incidents could be cited of activities by the American authorities against the Cubans, above and beyond the necessities of law or even a strict neutrality.

After purely formal evidence, the Government star witness was called. He told a tale of the liberality of the Captain of the *Commodore* in buying beer for all the inmates of the

establishment to which the witness was accredited. He generously related how the Captain had played Othello to his enraptured audience, boasting that he was a gun runner and that he expected shortly to land immense war supplies in Cuba.

At some length and in explicit detail, counsel for the United States Government, assisted by counsel of the Spanish Government, rehearsed the scenario.

Then with the usual flourish the prosecution delivered the witness to me for cross-examination.

I said to the Judge that I did not think the witness was in any condition to stand cross-examination and that, as it seemed unlikely that in that condition he could make any declarations which would be acceptable as proper evidence, I did not wish to waste the Court's time. "Your Honor," I announced, "the witness is inebriated."

The Judge looked carefully at the witness, then nodded and turned to the Prosecutor saying the next witness was to be called.

Alas there was no next witness. So we proceeded to argument.

It was clear the Judge was inclined to dismiss the libel. No other decision was possible under the laws, which did not prohibit the shipment of arms; and, in view of the fact that the Captain, in his own "confession," had mentioned only gun running, the vessel and its cargo were released.

The men who had been on the ground preparing the *Commodore* for her voyage had disappeared like wraiths. They were Colonel Tomas Collazo, known handily as Thomas Kodak; and the ubiquitous Charles A. Richmond, known as Smith; members of their fraternal order had helped them escape.

It was best to drop the *Commodore* captain forthwith from our service. Another captain who had proved none too reliable was also let go. He ultimately turned State's evidence and in defense of the indictment which followed I found myself in a surprisingly anomalous position. I had commenced cross-

understand. But the Senator was not to be put off. "That is very clever," he said, "but you forget that I had some business on the Mexican border and I remember sufficient Spanish to know what the General really said." The laugh, then, was distinctly on me, particularly after I had translated to the General, who jeered lightly at me, saying, "You see what you get, trying to be diplomatic!"

Cuba received a cruel blow when General Garcia was stricken with pneumonia and died. He was given a formal military funeral at Arlington National Cemetery, where he was temporarily laid in a vault.

At the funeral mass, Archbishop Ireland spoke most highly of him. The Archbishop had asked whether the General was a Mason and, from my inquiries, it appeared that he was not. I still have a queer feeling, when I pass the Raleigh Hotel where he died, for there is a bronze tablet erected by the Masons to commemorate the death of their fellow craftsman, General Calixto Garcia.

I shall never forget that death-bed scene. The doctors had given the General most powerful injections and, at the very last, he suddenly sat erect in bed, his dimmed eyes wide open, his color changing rapidly from a strange pallor to almost a purple, which contrasted eerily with his snow-white hair and beard. His muscles tensed, he looked, in that moment, the great commander that he had been. His whole aspect became almost superhuman. Here, before our eyes, was a Greek god, ageless somehow, having an unearthly majesty. Then, slowly sinking back on his pillow, his breath becoming thinner, the majesty dimmed, the great figure shrank a little into itself and General Garcia was dead.

Had he lived, in all probability the proximate future of his country would have taken an entirely different course. He had never been politically ambitious. Discussing the future with me, just before his last illness in Washington, he said that the ambitions of his friends, to make him President of Cuba, held not the slightest interest for him. "You see," he said, "I

know my own character. I know how quickly I lose my temper. If I were President, it is quite possible that I would tell the American and European ambassadors, all together, what I thought of them. I cannot expose my people to the consequences of such action."

"You will at least let the President-to-be know your opinions, General?" I said.

He replied, "That might be pleasant for me, and for the good of my country."

He had already written Domingo Mendez Capote from Bayamo, "I desire ardently that in Cuba we kill, once for all, the domination of the sword over intelligence. I do not wish for despotism or brute force, ruling over justice and right. I believe in this you think as I do, and in consequence we can labor for the same ends, and nothing better can we contribute to the creation of true republican institutions."

McKinley decided to send Robert P. Porter to confer with General Maximo Gomez on the disbanding of the Cuban army; Gonzalo de Quesada was asked to accompany him. This was in line with the prevailing policy to ignore the Civil Government of Cuba and all that succeeded it, namely the Assembly.

I could see trouble would result from this mission and, after it had left Washington for Cuba, I persuaded John Hay, then Secretary of State, to permit representatives of the Assembly to intervene in the disarmament in the several provinces. I argued that this was in no way tantamount to formal recognition of the Cuban Government, and that it was illogical to treat solely with General Gomez, who held his commission under the authority of the original Constitution. If treating with him, as General-in-Chief, did not formally recognize the authority which gave him his title, then why not treat with others whose authority sprang from the same source? Besides, this would hasten disarmament, and leave a friendly feeling into the bargain.

Secretary Hay obtained McKinley's consent and authorized