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PRESIDENT ROOSEVELT'S DECISION IN SCHLEY CASE

Court Right in Condemning Schley's Retrograde Movement—Majority Acted With Propriety in Withholding Opinion on Question of Command—Refuses to Reverse McKinley's Decision as to Command and Credit at Santiago—Testimony of the Captains—"Loop" Condemned—"Dangerous Proximity"—Wholly "a Battle of the Captains."

WASHINGTON, Feb. 19.—President Roosevelt's memorandum upon the appeal of Admiral Schley from the findings of the court of inquiry was given out for publication today. It is as follows:

White House, February 18, 1902.

I have received the appeal of Admiral Schley and the answer thereto from the navy department. I have examined both with the utmost care, as well as the preceding appeal to the secretary of the navy. I have read through all the testimony taken by the court and the statements of the counsel for Admirals Sampson and Schley; have examined all the official reports of every kind in reference to the Santiago naval campaign; copies of the logbooks and signal books, and the testimony before the court of claims, and have also personally had before me the four surviving captains of the five ships, aside from those of the two admirals, which were actively engaged at Santiago.

It appears that the court of inquiry was unanimous in its findings of fact and unanimous in its expressions of opinion on most of its findings of fact. No appeal is made to me from the verdict of the court on these points where it was unanimous. I have, however, gone carefully over the evidence on these points also. I am satisfied that on the whole the court did substantial justice. It should have specifically condemned the failure to enforce an efficient night blockade at Santiago while Admiral Schley was in command. On the other hand, I feel that there is a reasonable doubt whether he did not move his squadron with sufficient expedition from port to port. The court is a unit in condemning Admiral Schley's action on the point where it seems to me he most gravely erred; his "retrograde movement" when he abandoned the blockade, and his disobedience of orders and misstatement of facts in relation thereto. It should be remembered, however, that the majority of these actions which the court censured occurred five weeks or more before the fight itself; and it certainly seems that Admiral Schley's actions were censurable he should not have been left as second in command under Admiral Sampson. His offenses were in effect condoned when he was not called to account for them. Admiral Sampson, after the fight, in an official letter to the department alluded for the first time to Admiral Schley's "reprehensible conduct" six weeks previously. If Admiral Schley was guilty of reprehensible conduct of a kind which called for such notice from Admiral Sampson, then Admiral Sampson ought not to have left him as senior officer of the blockading squadron on the 3d of July, when he (Sampson) steamed away on his proper errand of communication with General Shafter.

We can therefore for our present purposes dismiss consideration of so much of the appeal as relates to anything except the battle. As regards this, the point raised in the appeal is between Admiral Sampson and Admiral Schley, as to which was in command, and as to which was entitled to the credit, if either of them was really entitled to an unusual and preeminent credit by any special exhibition of genius, skill and courage. The court could have considered both of these questions, but as a matter of fact it unanimously excluded evidence offered upon them, and through its president announced its refusal to hear Admiral Sampson's side at all; and in view of such exclusion the majority of the court acted with entire propriety in not expressing any opinion on these points. The matter

has, however, been raised by the president of the court. Moreover, it is the point upon which Admiral Schley in his appeal lays most stress, and which he especially asks me to consider. I have therefore carefully investigated this matter also, and have informed myself upon it from the best sources of information at my command.

The appeal of Admiral Schley to me is not, as to this, the chief point he raises, really an appeal from the decision of the court of inquiry. Five-sixths of the appeal is devoted to this question of command and credit; that is, to matter which the court of inquiry did not consider. It is in effect an appeal from the action of President McKinley three years ago when he sent in the recommendations for promotion for the various officers connected with the Santiago squadron, basing these recommendations upon his estimate of the credit to which the officers were respectively entitled. What I have to decide, therefore, is whether or not President McKinley did injustice in the matter. This necessarily involves a comparison of the actions of the different commanders engaged. The exhaustive official reports of the action leave little to be brought out anew; but as the question of Admiral Sampson's right to be considered in chief command, which was determined in his favor by President McKinley, and later by the court of claims, has never hitherto been officially raised, I deemed it best to secure statements of the commanders of the five ships (other than the Brooklyn and New York, the flagships of the two admirals) which were actively engaged in the fight. Admiral Philip is dead. I quote extracts from his magazine article on the fight, written immediately after it occurred; closing with an extract from his letter to the secretary of the navy of February 27, 1898:

"It was the blockade that made the battle possible. The battle was a direct consequence of the blockade, and upon the method and effectiveness of the blockade was very largely dependent the issue of the battle. . . . Under the orders of Admiral Sampson the blockade was conducted with a success exemplified by the result. . . . When the Spanish admiral at last made his dash to escape, we were ready with our men, with our guns, and with our engines. . . . It was only a few minutes after we had seen the leader of the advancing squadron that it became apparent that Cervera's plan was to run his ships in column to westward in an effort to escape. . . . Before he had fairly found himself outside the Morro the entire blockading squadron—Indiana, Oregon, Iowa, Brooklyn, and Texas—was pumping shell into him at such a rate as virtually to decide the issue of the battle in the first few moments. . . . All our ships had closed in simultaneously. . . . Then occurred the incident which caused me for a moment more alarm than anything Cervera did that day. . . . Suddenly a whirl of breeze and a lull in the firing lifted the pall, and there bearing toward us and across our bows, turning on her port helm, with big waves curling over her bows, and great clouds of black smoke pouring from her funnels, was the Brooklyn. She looked as big as half a dozen Great Easterns, and seemed so near that it took our breath away. 'Back both engines hard!' went down the tube to the astonished engineers, and in a twinkling the old ship was racing against herself. The collision which seemed imminent, even if it was not, was averted, and as the big cruiser glided past, all of us on the bridge gave a sigh of relief. Had the Brooklyn struck us then it would probably have been the end of the Texas and her half thousand men. . . . At ten minutes

to 10 (the Spanish ships had appeared at about 9:30) . . . the Iowa, Oregon, and Texas were pretty well bunched, holding a parallel course westward with the Spaniards. The Indiana was also coming up, well inside of all the others of our squadron, but a little in the rear, owing to her far eastward position at starting. . . . About a quarter past ten the Teresa, which had been in difficulty from the moment she left the shelter of the Morro, turned to seek a beehiving place. She was on fire, and we knew that she was no longer a quantity to be reckoned with. Five minutes later our special enemy, the Oquendo, also turned in shore. . . . The Viscaya kept blowing got ridiculous, but the pounding she got from our four ships, more particularly the Oregon, was too much for her, and in half an hour she too headed for the beach. . . . I determined to push on with the Texas. . . . It gives me pleasure to be able to write that, old ship as she is and not built for speed, the Texas held her own and even gained on the Colon in that chase. . . . "Admiral Sampson was commander-in-chief before, during and after the action."

Captain Clark's statement is as follows:

"The credit for the blockade which led up to the fight is of course Admiral Sampson's. The position of the ships on the morning of the fight in a semi-circle head-on to the harbor, in consequence of which we were able to close in at once, was his. In closing in, that is, in making the first movements, we were obeying his instructions; though as a matter of fact we would all have closed in any way, instructions or no instructions. When the Spanish ships came out of the harbor the navigator of my ship saw the New York to the eastward, but I received no signal of any kind from the New York during the action, nor was she near enough to signal directly to me until after the Colon surrendered. . . . The engagement may be said to have been divided into three parts: First, the fight proper, while the Spanish squadron was coming out of the harbor and until it was clear of the Diamond Shoals and definitely headed westward; second, the running fight with the already damaged vessels as they fled westward, until the Teresa, Oquendo, and Viscaya ran ashore; and, third, the chase of the Colon, during which there was practically no fighting. During the first stage I did not see the Brooklyn or receive any signals from her. At the close of this stage the Oregon had passed the Iowa and Texas, and when we burst out of the smoke we saw the four Spanish ships going west apparently uninjured, and followed hard after, at the same time observing the Brooklyn a little ahead and offshore. She was broadside to the Spanish vessels and was receiving the weight of their fire, and was returning it. The Brooklyn and Oregon thereafter occupied substantially these positions as regards each other, being about equidistant from the Spanish ships as we supported them from the Spanish ships as we supported them, except when the Oregon attempted to close with the Oquendo. The heaviest fighting was at the harbor mouth and while the enemy was breaking through or passing our line. Not long after the running fight began the Teresa and then the Oquendo turned and went ashore, the Viscaya continuing for some distance farther before she also was beached. Throughout this running fight the Brooklyn and the Oregon were both hotly engaged, being ahead of any of our other ships; and we then constituted the western and what I regard as the then fighting division of our fleet. I considered Commodore Schley in responsible command during this running fight and chase so far as I was concerned, and acknowledged and repeated a signal he had flying, for close action or something of the kind. As, however, the problem was perfectly simple, namely, to pursue the Spanish ships as I had been doing before I saw the Brooklyn, he did not as a matter of fact exercise any control over any

movement or action of the Oregon, nor did I perform any action of any kind whatever in obedience to any order from the Brooklyn, neither as to my course nor as to my speed, nor as to my gun fire, during the fight or chase. . . . The Oregon always had fired under all boilers. In spite of the speed shown by the Oregon in this fight she had not been and is not classed as the fastest ship; but during all her service, not one of our boilers was used for condensing, though the resulting discomfort for all hands was an additional hardship for her commanding officer."

The following is Admiral Evans' statement:

"The credit for the blockade, for the arrangement of the ships at the opening of the fight, and for the first movements forward into the fight must of course belong to Admiral Sampson, whose orders we were putting into effect. When the fight began Admiral Sampson's ship, the New York, was in plain sight. I saw her turning to overtake us. Throughout the fight I considered myself as under his command, but I received no orders from him until the Viscaya was aground. Nor did I receive any orders whatever from the Brooklyn, nor should I have heeded them if I had received them, inasmuch as I considered Admiral Sampson to be present and in command. . . . The heaviest fighting was during the time when the Spanish vessels were coming out of the harbor and before they had stretched fairly to the westward. When they thus stretched to the westward we all went after them without orders—of course we could do nothing else. Until the Teresa and Oquendo ran ashore the Iowa was close behind the Oregon and ahead of the Texas, and all of us were firing steadily at the Spanish ships. The Texas then recovered her speed—for she was dead in the water after having backed to avoid the Brooklyn when the Brooklyn turned—and she went ahead of the Iowa. Both of us continued to fire at the Vis- (Continued on fifth page.)

ADVOCATES OF SCUTTLE POLICY

HELD THE FLOOR SOME HOURS IN THE SENATE YESTERDAY.

Money Says it is as Easy to Pull Down the Flag as to Drop a Red Hot Iron.

ANOTHER DEMOCRAT ENDORSES WHEELER.

BOULELLE OF ILLINOIS SHOWS THAT THE FIRST AND LAST DEMOCRATIC PRESIDENT HAD INDULGED IN "TRUCULENCE AND SYCOPHANCY."

Washington, Feb. 19.—The Philippines tariff bill absorbed most of today's session of the senate. Messrs. Burrows, Tillman, Money, and Foraker were the most prominent participants in the debate. Burrows defended the government's policy in regard to the Philippines and declared that the abandonment of the islands would be the master crime of the century. Tillman contrasted the condition of affairs in Louisiana as to its acquisition with (Continued on fourth page.)

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