

THE DISCHARGE OF NEGRO SOLDIERS

NOT in the history of the war department since the days of the Civil war has there been such a storm of protest as that induced by the action of the president in asserting his authority as commander in chief of the army and discharging, without honor, every enlisted man of companies B, C and D of the Twenty-fifth Infantry, for some time stationed at Fort Brown, Texas, says Henry Barrett Chamberlain in the Chicago Record-Herald. Why he did not go further and order every commissioned officer before a court-martial is something not clearly understood by those conversant with the regulations of the president's service as a lieutenant colonel and afterward colonel of volunteers in command of the First United States volunteer cavalry should have suggested this course.

On the 13th of last August a number of colored soldiers attached to the three companies visited Brownsville at midnight and proceeded to "shoot up" the town. Their grievance appears to have been that certain bartenders refused to serve them liquor at the same bars over which drinks were purveyed to whites and in retaliation they decided to "shoot house" the town. In carrying out their purpose they shot indiscriminately. One bullet entered the window of a house and killed an occupant; another seriously injured the chief of police; the townspeople were frightened and stampeded; the officers of the post appeared to have lost control of their men and the post commander was unable to apprehend those who participated in the riot. It was an evidence of laxity of discipline to which no plea of justification could be entered; it indicated a lack of care on the part of non-commissioned officers, all of whom were colored, and criminal inattention on the part of commissioned officers, all of whom were and are white.

The inability of the post commander to properly punish the offenders resulted in the matter being brought to the attention of the president and the detailing of Colonel Garlington of the inspector general's department to investigate. Complying with an executive order he proceeded to Fort Brown and Brownsville, but was unable to discover the actual offenders. The men of the three companies refused to testify against their comrades. Finally the inspecting officer reported, recommending the discharge, without honor, of every enlisted man of the three companies, with the further provision that any and all of them be forever barred from holding office in the service of the United States, civil or military, and refused enlistment in the army or navy. This, of course, affected men who might otherwise apply for admission in soldiers' homes or be entitled to pensions for long and honorable service.

It must be understood that all of the men of the disgraced companies were not guilty. The majority of them were in barracks at the time of the trouble. Some of them were on detached service, a thousand miles away from the scene, but all suffered the penalty equally. It is this phase of the question, utterly repugnant to the civil or criminal law, which has caused the present agitation on the part of a large proportion of the colored population of the country and to their support has come the influence of many whites, all insisting that the measures taken against the colored soldiers were too drastic, unfair and altogether unreasonable; that the innocent should not be made to suffer with the guilty and that the individual and not the company should be considered the unit when such punishment is meted out.

The president signed the order discharging the men of the three companies on the night of Nov. 6. Because of the storm of protests which came to the war department, Secy. Taft suspended the operation of the order until he could communicate with the president, who was then on his way to Panama. The reply of the commander in chief required the secretary to promulgate the order and the men were discharged. The president's views were clear. The men had stood together and refused information necessary to the apprehension of criminals. They struck at the very being of military discipline and justice. In the militia service an officer or enlisted man must answer truthfully, if at all. If he remains silent he knows that the result may mean his severe punishment. The theory of the military service considers the entire army first, the individual last. The principle involved is vital. Color has nothing to do with it. Had white troops done the same thing they would have suffered the same penalty. The action of the president is by no means new, but it is the first time that so wholesale an order has been issued. There can be no democracy in the army. Its discipline must be rigid, if the force is to be effective. The first duty of the soldier is obedience, instant and entire. There is no premium upon "tattling," as some, unfamiliar with the service, appear to think. A soldier is as much obliged to answer truthfully the questions of a superior as is the witness under oath in court. Refusal in either case must bring punishment, else the military and the judicial systems will fail.

It must be admitted that the entire affair was bungled. Had it been handled properly, had the officers been efficient and properly alert, it would not have happened. This is shown by a statement by Col. Garlington, who says that a first sergeant went to him privately and begged for consideration, stating that he could get no information, although he had been 26 years in the service. That such a condition could be possible as a sad commentary upon the effectiveness of the non-commissioned men and casts discredit upon the white officers in command. The non-commissioned officers are the backbone of the fighting force, and the responsibility for their creation rests upon the company and regimental commanders. Under all the circumstances a general court-martial seems to be the thing most needed in the Twenty-fifth Infantry.

That the army itself fears the result of the president's order is evidenced by an editorial in the editorial and Navy Journal of Nov. 17, in which it says:

"The action of the president in dealing with the negro soldiers of the Twenty-fifth Infantry savors too much of oriental methods to meet with the cordial approval of either civilians or the army. There would seem to have been no sufficient reason for not leaving the matter to be dealt with in the ordinary course, through the department commander and the war department. If this had been done the government would have avoided the mistake it has made in inflicting a punishment upon the delinquent soldiers which goes beyond the power of even the commander in chief. It is unfortunate that Gen.

Garlington, upon whose recommendation President Roosevelt acted so promptly, should have overlooked the fact that the power of the president to debar the discharged soldiers of the Twenty-fifth Infantry from government employment does not extend beyond his term of office, and cannot be made perpetual. Where does Gen. Garlington find the authority ascribed to the president to debar these discharged soldiers from employment in any civil capacity under the government?"

As a matter of fact, the action of the president is not so entirely drastic as would appear at first glance, and enlisted men of the three discharged companies may be restored as individuals should circumstances justify such action in the opinion of the commander in chief. As the head of the army, he may rescind any action whenever it pleases him to do so, and there is nothing to prevent his successor from undoing anything that he has done, at least so far as this particular case is concerned. It is not likely that men of known innocence or those who are able to establish the fact that they knew nothing of the unfortunate Brownsville affair will be forever barred from service.

Until recently the Twenty-fifth Infantry bore as good a reputation as any regiment in the army. In 1898, when it reported for duty at Chick-

mauga, under command of its then commander, Col. "Andy" Burt, now a brigadier-general, retired, it was the most picturesque regiment in the First corps. The men were giants in stature and the discipline was rigid. The colonel loved the men, and they returned the compliment by adoring the colonel. And there was more than admiration back of it, for the regiment had a fighting record unsurpassed in the army. It was progressive, too, this Nubian battalion. The trumpeters could blow the Morse telegraphic code and send messages along the line effectively, whether the day was still or the noise of battle drowned the sound of the human voice. Every man knew the torch and flag signals; every one could read and write, and not one would miss a man if instructed to put a bullet into him at 1,000 yards. Col. "Andy" came from Ohio as a private and had fought at Chickamauga. He won his "eagles" by hard and meritorious service and was proud of the fact that Miles, Merritt, Shafter, Wade, Merriam and Otis had commanded colored troops.

An incident which happened at Chattanooga during the time of the mobilization tells something of the personnel of the men of the old Twenty-fifth. Deputy County Register J. P. Pemberton, who came to Chattanooga from Virginia after the close of the Civil war, was walking through the union depot, when a big black soldier hailed him with "Hello Mars Jim." Turning and recognizing the speaker, Mr. Pemberton called out, as he grasped the negro's hand: "Why, hello, Washington Pemberton. I have not seen you since the old days

when we were boys on the old plantation."

After a few moments' conversation Mr. Pemberton told the soldier that it was his intention to give a reception the following week and he wanted the soldier to get for him a lot of cartridges for use as souvenirs for his guests. The colored man hesitated a moment and then said:

"I'd like to do it, Mars Jim, and I will if I can get some of the white boys to give me some ammunition, but I can't get any cartridges for you in the Twenty-fifth. You see with us every cartridge counts a man, so the colonel says, and out on the plains we had to bring back the cartridges or had Indians for the ones we used."

Another soldier of the Twenty-fifth asked for a glass of beer at a bar in Chattanooga the same night. He was refused by the white bartender, who taunted him as a coward and said that he couldn't fight. The black man reached over the bar, grabbed the saloon keeper, lifted him bodily across the room and then, shaking him like a child, dropped him to the floor with the remark: "You are just poor white trash, and I don't want anything to do with you."

To any one who has known the Twenty-fifth Infantry in its days on the plains, who followed its fortunes when Col. "Andy" Burt rode at its head and knew it for a command whose discipline was the peer of that of any regiment, black or white, in the army, the Brownsville incident comes as a shock. Whether the men are of poorer quality or the officers lack the esprit du corps which prevailed in the days of "Andy" Burt is a question which will be asked by those

acquainted with the organization in the days when there was no blemish upon its record. That it should appear necessary to discharge, without honor, three entire companies because of a serious breach of discipline is a sorrowful thing to contemplate by those who wish it well, but it cannot be forgotten that the people of the country have a right to expect protection from the wearers of the uniform of the army, and that a breach of the peace by a soldier is more serious than when committed by a civilian. Punishment which could not be visited upon a citizen with justice may be fairly inflicted upon a soldier.

The soldiers of the Twenty-fifth Infantry who participated in the killing of a citizen at Brownsville were murderers; those who knew of the affair and kept silent are equally guilty in the eyes of the law. In this particular instance their silence extends further than affording protection to the guilty—it brings undeserved punishment to comrades in arms who are innocent. There is nothing heroic in their silence. It is the mere shielding of a murderer or murderers at the expense of the reputation and honor of their corps, and the discipline and integrity of the army demanded that unusual measures be taken in view of the enormity of the offense. It is not at all a racial question. It would be the same had the men been white. Less drastic action might mean the demoralization of the army.

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