

The presence of one American warship would have accomplished two objects. First, it would have prevented the loss of a single life, and secondly, would have prevented Spain from staining her escutcheon with so foul a blot that it can never be eradicated. The arrival of the Niobe proves this, for from the moment that her commander walked into the governor's palace the massacre ceased. There are moments when diplomacy is too slow, moments that mean months, aye, years of history, and here was one. On the action of the commander of the Niobe depended the lives of one hundred and two human beings.

Before another order could have reached Santiago de Cuba from Spain, Burriel would have had them all murdered along the walls of the matadero and their bodies huddled in the trenches already dug for them. But where was our navy? It was an Englishman that stopped it. The answer is this: They were kept away from Cuba for fear of wounding the delicate sensibilities of men like Jovellar and Burriel. Spanish cavaliers! Dignified Spanish dons, with inordinate Spanish pride! The nearest ship that could be reached was the Wyoming at Aspinwall, commanded by Cushing. What American boy does not know him? It was said that he especially was kept away from the Cuban coast, knowing his too hasty temperament and fighting tendencies. The consul at Kingston, learning that he was there, telegraphed to Aspinwall, and Cushing, not finding time to notify the department and ask instructions, took on coal and proceeded at once to Santiago. The account stated that Burriel "wrote the most arrogant letters to Cushing." He did, but the sequel was that Cushing not only threatened to bombard the town, but said he would sink anything he found in the harbor flying the Spanish flag.

Braine with the Juniata now came in, and more sailor diplomacy took place. Burriel sent his prisoners under cover of night to the Morro, ostensibly to give them up, but really to ship them to Cienfuegos; but Braine, catching him at that, demanded their return, and gave the worthy general a good breezy nautical opinion of such dastardly work, telling the "Don with the inordinate pride" that his word was absolutely worthless. Meanwhile, what more could those noble chevaliers do but prepare their victims for death, time after time. They knew that they could not shoot them, but then the victims were in ignorance of that, and so they could have their little Spanish game. They could see the poor fellows bid each other good-by, and watch them suffer mentally, although they still had strength enough to hide much from their tormentors. Well, they had 53 at any rate. That was a comfort. They didn't get "plenty of American beef" at the matadero, but they got a fair portion. Now the wretches were under the protection of their men-of-war, and "Spanish beef" is down to the same price as "American beef." Burriel is now roaring as gently as a sucking dove. He dare not attempt to bully the commanders of those ships as he did the American vice-consul, although Mr. Schmitt in the most dignified way showed in his replies how little he feared him, and which of the two was the Caballero. He would not think of stopping the official telegrams of Braine of Cushing "by reason of right vested in me,"—nor reply to them as he did to Mr. Schmitt when questioned that he had paid no attention to three most important official communications because "for the past two days, I and my officials were engaged in the pious duty of meditating on the divine mys-

teries of All Saints' and the commemoration of All Souls' day, as prescribed by our holy and blessed religion." He had, however, during those two days of religious meditation established two courts that had tried Gen. Ryan (Canadian) Bembeta, Varona, Del Sol, and Cespedes with Capt. Fry, and 37 others, about one-half Cubans and the other half Americans and English. The first group were shot on the 4th, the day the above letter was written to Consul Schmitt; and the second batch on the 7th.

The 8th opened auspiciously, the Niobe had arrived. The shooting began in squads. There were 42 to be shot, and it was one of these squads that Lorraine met; demanded what it was; and upon being told, hastened to the palace, and with no uncertain voice, made the ruffianly occupant understand him in a way that sent an aide post haste to the matadero; for one more death meant the fall of his palace about his ears and the force of the two great Anglo-Saxon nations crushing down upon Spain, and just in time he was to save a group standing against the wall, a group in which there were three Americans, two of whom were mere boys from New Jersey. That was the end of the bloody saturnalia—and now how did diplomacy thrive?

Hardly had the cable flashed the news to Spain before our minister, Gen. Sickles, was in the presence of Carvajal, the Spanish minister of foreign affairs, to announce the capture of the Virginus on the high seas, by the Spanish man-of-war Tornado, and to warn him that the Virginus was flying the American flag, with American citizens on board. In the subsequent communication to the Spanish minister, he stated the American position: First—Spain not having declared war existed in Cuba, and the United States not having recognized them as belligerents, the Tornado had exceeded her instructions in undertaking to capture a ship under a foreign flag in the open sea. Second—The United States denies the right of any power to visit, molest, or detain, on the high seas, in time of peace, any American vessel. This is claimed and observed by all great maritime powers.

Carvajal tried Burriel's style of diplomatic letter writing with Gen. Sickles, but very quickly abandoned it, and adopted a different tone. Castelar, the president of the Spanish republic, was dignified and gentlemanly throughout the controversy. He assured Minister Sickles that he had sent a telegram at 7 a. m., Nov. 6, as soon as he had received news of the capture, admonishing Capt. Gen. Jovellar that the death penalty must not be imposed on any non-combatant without previous approval of the Cortes, nor on any person taken in arms against the government, without the sanction of the executive. This was simply the repetition of an order perfectly well understood by Jovellar and Burriel. Notwithstanding this, wholesale shooting continued until noon of the 8th. The Spanish minister declared that the shooting ceased immediately upon the receipt of the home telegram at Santiago, but the terrifying apparition of the commanding officer of the Niobe must have been coincident with the placing of the telegram into the trembling hands of Burriel. So much for their respect for home orders in Cuba.

Now, while the men-of-war watch the Spaniards at Santiago, rapid working of the cable goes on between Secretary Fish, Gen. Sickles, Minister Carvajal and the Spanish minister at Washington, Admiral Polo de Bernebe, and we have a kaleidoscope view of Spanish chivalry and honor. Car-

vajal receives word from Cuban authorities that the Virginus had no papers, was therefore not a regular documented American ship, and therefore had no right to fly the American flag, but the consul at Kingston declared she did have papers, that they were properly made out, and were subsequently handed to the captain of the Tornado by Capt. Frye. As to flying the flag, Mr. Carvajal was informed by Secretary Fish, through Gen. Sickles, "that the United States reserves the right to decide that question, and under no circumstances will allow it to be decided by any other nation." Spain then claimed that the Virginus was discovered landing men and munitions of war on the Cuban coast, was chased off, and captured 26 miles from Jamaica,—all of which was proved false.

On Nov. 14, six days after the last fusillade at the matadero, Mr. Sickles demanded within twelve days "the restoration of the Virginus, the release of the survivors, the punishment of Jovellar and Burriel, and the salute to our flag of twenty-one guns at Santiago de Cuba, with full reparation to all American citizens, or their families, that were on board the Virginus at the time of her capture." This Spain declared to be "arbitrary, humiliating and inadmissible," that they had not had sufficient time to examine into the facts, and contrasted the moderation of England with our impatience. The good offices of England were requested, but declined except on the basis of complete reparation to the United States. Spain encountered a similar rebuff from Germany.

Spain now requested that the whole matter be left to arbitration, hoping to gain time to reinforce her ships at Cuba, and to increase her land force by the fall of Cartagena, which was daily expected. This our government refused, declaring it a subject of national honor, of which she herself was judge. In the meantime the press were loud in denunciation of the United States. The Vos de Cuba congratulated the "brave tars" of the Tornado, and hoped "that the sword of justice would fall without delay upon the infamous wretches who deserve no consideration." "They have abused Spanish clemency, 'tis time for them to feel Spanish justice." Note the application of the two words clemency and justice. The Spanish papers, those of the ministry as well, declared their entire approval of the procedure. Not one expression of regret or disapproval came from the foreign office.

Nothing having been heard of Mr. Sickles' demand, at 2 p. m. of the 26th the secretary of the legation, Mr. Adey, placed in the hands of Mr. Carvajal a note from our minister requesting passports for himself and his family and for the officials at the legation. The Italian government had authorized its minister to receive the documents. Mr. Carvajal wished to know if his note had not been received at the legation. This was received one-half hour later, it evidently having been detained to see if our government would carry out its threat to sever diplomatic relations. In this note Spain agreed to the demands of the United States "as much for the sake of quieting foreign dignity as for the relief of her own conscience if such violations exist, as is claimed, by reason of the seizure of the Virginus or by subsequent acts. She will be glad to repair the wrong, according to its just importance, thus proving that the reign of law, be the judgments favorable or adverse, is the first essential to national honor, and that the observance of law, and not obstinacy born to assume a place in the senate of cultured nations."