

# Diplomatic Spurs

Our Experiences in Santo Domingo (Part III)

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While the term “Forces of the Brigade” has been used in explaining the subject of arrests, the provost marshal department really formed the police system of the Military Government. To empower all forces of the Brigade to make arrests would undoubtedly have led to confusion, delay and the failure to definitely fix responsibility for carrying out the duties of a well regulated police. To centralize control then, the provost department ordinarily made all arrests except in such cases as required the concerted action of larger forces than this department had at its command. As stated before there was at every post of any importance a provost marshal, who was charged with the detection and bringing to justice of all offenders against the executive orders and mandates of the Military Government, or other offenders with whom the civil police or Policia were unable to cope. Especially did the provost activities extend to the arrest of individuals and to those cases which did not require a large force to sustain the law.

## CONTROL OF PRISONS

The military control of the prisons of the Dominican Republic was but the natural outcome of the Occupation, although the physical custody of all prisons and jails was not feasible within the numerical strength of the armed forces, or warranted in view of the precedence which had to be given to other and more important tasks. The actual control was only extended to the more important prisons, and which, as will be seen later, was dependent upon several factors, some of which were of a military nature.

This control of prisons was centered both in the Department of Justice and

the Brigade and resolved itself into two component parts: namely; one of administration, and the other of custody. Although the Department of Justice was primarily concerned with administration and the Brigade with custody, this line of demarcation was not always so distinguishable in actual practice. When important problems arose, such as the construction of penal institutions, the introduction of prison reforms, improvements and vocational training, and the establishment of correctional schools, all of which demanded the cooperative services of the Department of Justice and the Brigade, the question of administration and custody in terms of control was a minor consideration. On the other hand certain administrative functions were inherent to the Department of Justice, as the preparation and distribution of funds for the construction, upkeep and repair of prisons, and the sustenance of the prisoners, which had to be paid from the Dominican treasury.

Furthermore, there was a distinction in the exercise of control with reference to the two classes of prisoners, civil and provost. The policy to exclude, whenever practicable, the armed forces from any association in civil affairs, gave the Brigade no authority over civil prisoners other than custody. Here the Department of Justice was intimately associated with the trial, conviction, and sentence of offenders against the civil law, and their subsequent confinement and release from imprisonment either through the mitigation, remission or completion of sentence. In a similar manner were provost prisoners, offenders against the Military Government, entrusted to the Brigade and the authority in these cases embraced both administration and custody.

While any attempt to define this separation of control may seem confusing, an erroneous conclusion should not be drawn as to the meaning of custody in the restricted sense of being in charge. So stated, any division of control was never designed to curtail the Brigade’s authority over any prisoner, when once committed to its charge. Under the proper regulation, the Brigade became solely responsible for the safeguarding, care, medical treatment, and employment of prisoners, together with the internal prison administration.

Later with the establishment of the Policia, this organization shared with the Brigade the custody of prisons and their inmates, and ultimately relieved the Brigade almost entirely.

It is concluded that the following conditions or factors decided the authorities of the Military Government to assume control of the prisons:

- (a) A number of Dominican forts or points of tactical importance held within their confines public prisons.
- (b) Substantial buildings were necessary for the confinement of provost prisoners.
- (c) Certain prisons were located in areas of chronic unrest, which in the event of a general uprising against the Military Government might result in the liberation of the inmates if not militarily controlled.
- (d) The Military Government while responsible for the preservation of peace and order and the suppression of vice and crime, found it incumbent to forcibly restrain the criminal element.
- (e) Improve the prison conditions and institute reforms in the interest of humanity.

The majority of the largest prisons were located within the various Dominican fortifications, where they

formed an integral part of the military strongholds, and, moreover, were often the only places in the community available for the incarceration of dangerous criminals. The landing and invading operations led to the prompt seizure and occupation of all these fortifications, which included Forteleza San Felipe at Puerto Plata, Forteleza San Luis at Santiago, Fort San Francisco at Monti Cristi, Fort Ozama at Santo Domingo City, and the more recently built fort at San Francisco de Macoris. The occupying forces must have found themselves in a peculiar position, holding these fortifications and at the same time the prisons with their occupants. They could not in the interests of justice retain the prisons without accepting the custody of the prisoners, or later refusing to receive and guard other prisoners arrested and convicted of crime. The rejection or release of any prisoner would not have inspired confidence in the Occupation, and would have had the pernicious effect of encouraging vice and crime, thereby adding to the many difficulties already opposed to the restoration of tranquillity.

Furthermore, as long as the Brigade held these strongholds and quartered its troops within their limits, the civil control of any portion of these military premises would have been illogical, and most undesirable from a military standpoint. Such control would have been detrimental to discipline, military efficiency, and the secrecy of military operations.

The Military Government acquired during its active tenure approximately 3,500 provost prisoners, some of whom were political agitators and incendiaries. To assure positive detention of these offenders, it was essential to secure suitable places of confinement, wherein the military authorities could exercise absolute and exclusive domain. With this object in view, the better class of Dominican prisons was selected for the confinement of provost prisoners. However, the congested conditions of all prisons prohibited the selection of several prisons solely for the confinement of provost prisoners. Frequently, because of the excessive number of provost prisoners, and the overcrowded conditions of

the prisons it was necessary to confine the military offenders within stockades.

Other causes prevented the Military Government from sanctioning retention of prison control by the civil authorities; one of which was founded on its own safety. The disturbed political conditions with their ever fomenting areas of unrest were of sufficient moment to create in the minds of the military authorities the possibility of organized uprisings against the Military Government. In the estimation of such a situation, prison control became one of the principal factors requiring serious reflection. With information gleaned from past revolutions, it was safe to assume that with the civil control of prisons, the inmates would be liberated upon the first outbreak of any uprising, only to augment the ranks of the revolting forces. The same conditions might obtain through the fear held by the native Dominican for the old revolutionary or bandit leaders. Though confined to isolated cases, it was not improbable that these leaders could, under favorable conditions, exert sufficient pressure to coerce the guardians of prisons to effect the release of numerous prisoners.

The Brigade records of investigations, and even the most casual inspections, are startling in their revelations of prison conditions and describe a most pitiful and lamentable situation. If for no other than humanitarian reasons, the Military Government could not have long deferred placing these prisons under the control of the armed forces.

The prisons without exception, were found to be badly overcrowded, and the prisoners underfed, scantily clothed, and confined in restricted, filthy, and poorly ventilated cells. Little or no attention had been paid to the segregation of male and female prisoners, which was deplorable in the extreme, and prisoners under correctional sentences were confined with the worst criminal types. No attempt had been made to separate prisoners awaiting trial from convicted prisoners undergoing sentence, and, in fact, as many as two hundred prisoners have been confined in one prison for two and three years waiting trial, and in many instances without any charge being preferred against them. No efforts

had ever been made to furnish the prisoners with employment or vocational training, which would increase their future usefulness. Public funds appropriated for the upkeep of prisons and the sustenance of the prisoners was regarded as legitimate spoils by some prison officials. This promiscuous crowding of prisoners in insanitary quarters with little or no systematic employment or recreation had a most deleterious effect, and whatever merit it had as a means of punishment, it certainly was not calculated to return useful citizens to the community.

Although a movement was started at once to remedy these derelictions and defects, the lack of funds during certain periods of Occupation frequently prevented a steady, progressive and intelligent improvement of prison conditions. For example in 1922, the prison appropriations for the year amounted to \$114,500 of which \$104,500 was provided for the purchase of rations, figured on a 20 cent per diem ration for an estimated average of 1,500 prisoners. The prisoners in actual numbers often exceeded this and great difficulty was then encountered in acquiring additional funds to make up the deficit. The question of securing funds for the upkeep and maintenance of prisons, medical supplies, and clothing was also largely problematical. On numerous occasions attempts were made to furnish some of the articles which were absolutely necessary to the health of the prisoners by creating a saving in the ration allotment. However, the employment of this practice, regardless of its advisability, was not generally found to be successful. Notwithstanding the disadvantage cited above many changes were made in prison management, closely adhering to the modern methods of administration. A national penitentiary with a capacity for five hundred prisoners was erected in accordance to the latest ideas of penal construction, and placed under the charge of the Brigade. Male and female prisoners were carefully segregated, and in one instance, the female prisoners of several prisons were concentrated in one prison. Correctional schools were instituted, and where possible, prisoners waiting trial were separated from con-

victed prisoners and every effort made to clear the dockets of untried cases. Prisoners were supplied with useful employment and provided with a certain amount of recreation; living and sanitary conditions were greatly improved; and the so called "honor system" was practiced with satisfactory results. All prisoners were encouraged to maintain exemplary prison records, and as a compensation the Military Governor promulgated an executive order, which provided that all prisoners would be credited with one fourth of the actual period of confinement to which they were originally sentenced as a reward for good conduct.

Unfortunately this state of development with even greater prospects for increased improvements ceased in so far as the Military Government was concerned with the installation of the Provisional Government.

### INTELLIGENCE DEPARTMENT

If any feature of the Military Government of Santo Domingo can serve as a precedent from which lessons may be drawn concerning phases of military occupations then the establishment of the Intelligence Department of the American forces in occupation of the Dominican Republic can be cited as an interesting example. The importance of its institution and subsequent employment has given rise to the conviction that no military government can properly and effectively conduct its affairs, both in civil and military matters, without some system of intelligence surveillance. With this understanding in mind, the inauguration of an intelligence system can no more be dispensed with under a military occupation, than the intelligence sections of tactical organizations upon whose estimates, summaries and journals combat decisions are made. Nor can any argument be advanced to show that the provost system of a military government can act as a substitute for or assume all the duties of a competent and efficient intelligence service, even though it may successfully fulfill a part of it. The character and composition of the provost system will not permit of its personnel devoting their entire attention to the collection, collation

and dissemination of a vast amount of information. Moreover, intelligence has become a function of tremendous proportions and magnitude, and cannot be served by the divided energies of different agencies. An intelligence department, properly administered, will prove to be as valuable an accessory to military occupations as the provost service, and must in the future also be regarded as a corollary to the necessity of military interventions.

The decisions and acts of the Military Governor and his subordinates have frequently depended upon being fully and reliably advised of the ever changing condition and events occurring within the Dominican Republic. An analytical study of the Dominican situation in all its ramifications required the collection of a great deal of information upon which to base logical conclusions. But as explained before, when the American forces landed in Santo Domingo they had little or practically no knowledge of the military defense, resources, geographical features, economical conditions, political situation, internal affairs and conditions, history, and racial characteristics of the inhabitants of Santo Domingo. Had the Occupation been saddled with the disadvantage of being unable to acquire information on the above subjects, the military authorities would have encountered the greatest difficulty in solving the many problems that were soon to confront them. Moreover, information covering these items to be of any value had to be obtained promptly and at first hand. Naturally, the acquisition of some form of intelligence service was a paramount necessity, provided the designs of the Occupation were to be satisfactorily and expeditiously advanced.

Circumstances at first compelled the military authorities to rely wholly upon the material and personnel at their immediate disposal for the purpose of collecting and disseminating information. Little or no help could be expected from the inhabitants, for they had viewed the arrival of the American forces with aversion and distrust, and unquestionably were strongly disinclined to assist the invader. Even had the Military Government been disposed to accept informa-

tion from outside channels, their sources would still have been subject to the close scrutiny. Before considering the inhabitants as a source of information it was necessary to gain their confidence.

The organization of an intelligence department and the detailed arrangements for its employment were left to the Brigade Commander, and as far as can be ascertained was placed in operation at the time the Occupation was declared. In all probability, the department as finally instituted was but an elaboration or consolidation of those intelligence units attached to the various organizations, which had taken part in the initial landings and subsequent operations. These units or sections had undoubtedly been actively functioning prior to the announcement of the Intervention, and presumably had collected by that time a great deal of valuable information.

The Department of Intelligence when organized consisted of the Brigade Intelligence Office or Section and the various Regimental Intelligence Offices or Sections. Without entering into a detailed account of the strength, composition and specific duties of the different sections, it is pointed out that their organization was not based on any rigid adherence to well established lines as laid down for tactical units. The organization of the Department was made flexible not only to suit the occasion, but in order to meet innumerable situations of great diversity. Though the military authorities were concerned with confidential military matters, especially with reference to banditry there were, however, no intelligence requirements involving tactical considerations incident to the preparation of combat dispositions. On the contrary, the Military Government was very much interested in problems of policy and method pertaining to the preservation of peace and public safety, suppression of political agitation and propaganda, the efficient administration of civil affairs, improvement of the economical situation, the employment of the public services and utilities and the enforcement of its mandates; a wide and unusual field of activity for any intelligence department to cover.

The officers and enlisted men comprising the various offices were care-

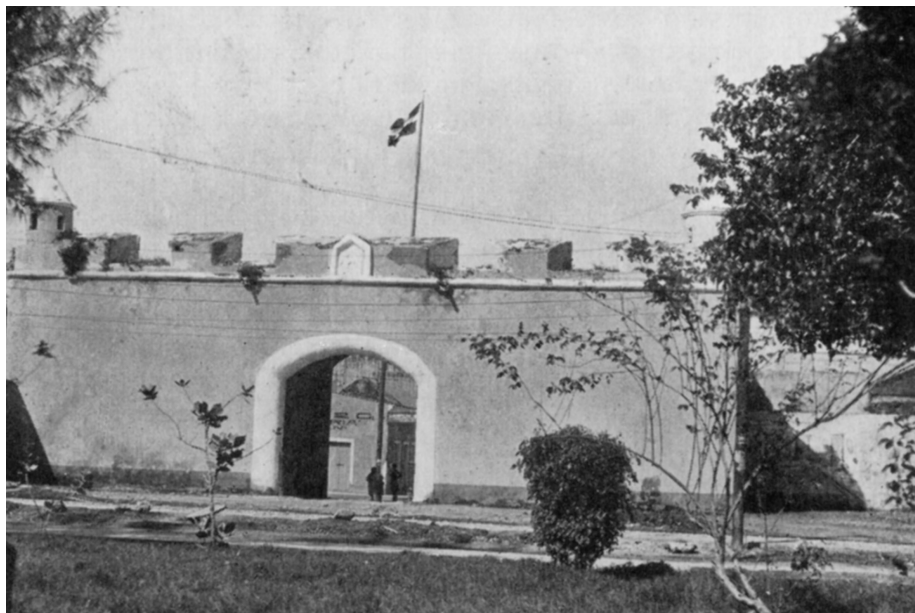


fully selected from the Brigade either because they possessed the necessary qualifications for intelligence duties, or had expressed an earnest desire for assignments. Each office was augmented by operators, secret agents and interpreters, paid and hired by the Intelligence Department.

The latter were natives and sojourners, intrepid characters, possessing intelligence and good judgment, and thoroughly familiar with the country and its inhabitants, traditions, conditions; their work was indicative of true friendship for and loyalty to the Occupation.

The Intelligence Department occupied a dual position in that it served the Military Government and the Brigade. However, it was primarily an institution of the Occupation, and its relation to the Brigade secondary. This differentiation is rather ambiguous as it is hardly conceivable to think of the Brigade without considering the Occupation, the one being the armed instrument of the other. Nevertheless, the Intelligence Department was supported by funds paid from the Dominican Treasury, made in monthly allotments, sometimes varying in amounts to consistently meet the needs of the service. Expenditures ordinarily included payment for services of operators, agents, interpreters, travel expenses, transportation hire, and supplies of sundry kinds.

Information was collected by the personnel of the Intelligence sections and the military forces in the field. With reference to the employment of the operators and secret agents a distinction has been made, but rather finely drawn. The operators were attached to the intelligence offices and operated directly therefrom, usually sent out on some special and important mission, requiring the utmost secrecy. The secret agents, concealing their association with the Intelligence Department, conducted their activities within the locality of their residences, reporting their observations by the means of some intervening medium. The interpreters were employed by the Intelligence Offices to interrogate the inhabitants, and to search out and translate newspapers, periodicals, documents, and secret and confidential reports printed or written



*Old Gate in City Wall, San Domingo City, D.R.*

in Spanish. The forces in the field secured information by sending out patrols or through the establishment of detached posts in the outlying districts.

There were numerous channels of information, the sources of which were not always dependable. The following, however, were regarded as reliable: provost department, Policia Nacional Dominicana (Guardia), civil officials, and friendly inhabitants. The Policia maintained an intelligence section which though never highly developed, was often in a position to furnish valuable information relative to banditry, criminals, smuggling and violations of immigration laws. Information obtained from civil officials was usually secured from officials exercising police functions. Friendly inhabitants were found to be free with information, but only when they were absolutely assured that disclosure could be made without danger to themselves.

After the establishment of the Military Government, the Intelligence Department was gradually enlarged until it covered every portion of the Republic, expanding with the stationing of companies and detachments in the outlying districts. The Brigade Intelligence Office was the center of all intelligence activities and besides digesting and recording the detailed reports received from the Regimental

Offices, conducted its own investigations, sending its personnel on the more important and independent missions. Then again, it often rendered direct service to the Regimental sections by dispatching its operators and agents to cooperate with the regiments. Aside from receiving and recording all data, the Brigade Intelligence Section was also the disseminating center of all information and was distinctly charged with keeping the Brigade Commander, and Military Governor thoroughly advised on specific matters and general conditions of the country.

The organization of the Regimental Intelligence Offices was practically the same. The Regimental Intelligence officers were permitted to select the more desirable enlisted personnel as the needs arose and employed such interpreters and agents as necessary to render efficient service. Normally each post in their districts was a center for intelligence activities, and maintained such agents and men as would enable the commanding officer thereof to be constantly informed of events and conditions within the surrounding territory. Patrols were constantly being ordered out from these posts, whose leaders, irrespective of the mission, were given standing orders to report all matters of interest from the viewpoint of intelligence. Then again, it was not uncom-



mon to send out patrols for the purpose of collecting data or investigating matters bearing on intelligence. These detached posts and patrols were very active in procuring information and we were able to keep the Brigade Intelligence Office, through the medium of the Regiment Intelligence Offices, thoroughly apprised at all times of conditions and events occurring in the more remote regions. Their reports, frequently accompanied by road maps, were very comprehensive, relating conditions of the country, bandit activities, attitude of the inhabitants toward the Occupation, their acceptance of the latest orders of the Military Governor, conduct of civil officials, conditions of roads and trails, state of water supply, condition of crops, sanitation, and many other subjects.

All information secured and submitted by the Intelligence Department was considered under two general classes: special information or data concerning separate subjects, and reports submitted at regular intervals. Special information was collected by all agencies of the Intelligence Department and embraced the following subjects:

(a) Data concerning the organization of bandit groups areas of operations, latest movements and depredations, names of leaders, number of followers together with their descriptions and manner in which armed and equipped; names and residences of their relatives and friends.

(b) Data concerning political leaders; their history, party affiliations, positions held under various revolutionary governments, present activities and attitude towards the Military Government.

(c) Data concerning general conditions in disturbed areas; political agitators and propagandists, leaders and principal authors, personal description, nationality, residence, whether formerly employed by the Military Government, present aims and efforts.

(d) Data concerning notorious criminals; their history, nationality, personal description, whether confined or at large; data concerning prisoners paroled or pardoned, their behavior and manner of observing conditions of pardon or parole.

(e) Data concerning smuggling of contraband; leaders, sources of supply, carriers, initial points of entry into Republic, by whom received and for what purposes.

(f) Detailed histories of various bandit groups with information as to their growth, sphere of operations, causes for disbandment or disintegration, who were the principal leaders and members and what became of them.

The regular reports of information consisted of a daily report of intelligence, a monthly summary of intelligence and a monthly report of operations. These reports were prepared both by the Regimental Offices and Brigade Office. The Regimental sections forwarded their reports to the Brigade Intelligence Office, which were used as a basis for its reports.

The Daily Report of Intelligence contained matters of importance which occurred during the preceding twenty-four hours; the sub-divisions of this report were as follows:

1. General State of Territory:
  - (a) The Press.
  - (b) Agent's Report.
2. Economic Conditions.
3. Friction between Troops and Civilian Population.
4. Provost Arrests.
5. Military Operations.
6. Miscellaneous.

In this report considerable attention was given to articles appearing in the newspapers or periodicals pertaining to the political situation or reflecting criticism or hostility towards the Military Government.

The monthly Summary of Intelligence was a complete report of events and conditions for the preceding month; in fact, it was a resume of the situation for the period reported on, utilizing the Daily Reports of Intelligence together with special reports as a basis for forming the estimate. The information incorporated in these summaries was classified as follows:

1. Military Situation.
2. Economic Situation.
3. Political Situation.
4. Psychological Situation.
5. Miscellaneous.
6. General Impression for the Period.

The Intelligence Department was also charged with the preparation and rendition of the monthly Report of Operations, which contained information more or less identified with the activities of the armed forces; the sub-divisions were as follows:

1. Condition of the Country.
2. Position of Troops.
3. Contacts.
4. Information re:
  - Material.
  - Transportation.
  - Supply.
  - Barracks and Camps.
  - Sanitation.
  - Morale.
  - Athletics.

Miscellaneous matters of a pertinent nature were also incorporated, and such maps attached as would indicate the position of troops and sphere of operations.

These reports, as stated before, were sent to the Brigade Intelligence Office, where they were collated and consolidated, and made the subject matter of similar reports to the Brigade Commander and the Military Governor, as well as the Major General Commandant and the Bureau of Naval Operations and Intelligence. By means of these reports together with maps showing locations of troops and means of supply and transportation facilities, the higher commands were kept constantly informed as to events and general conditions, while the armed forces were able to prepare plans for operations whenever the situation demanded.

## CIVIL OFFICIALS

So much has already been said about civil officials that further discussion of their status under the Military Government may appear as needless repetition, yet one or two points merit mention.

It was obvious from a reading of the Proclamation of Intervention that the Military Government did not contemplate a wholesale removal of the Dominican officials. Certain concessions as set forth in the Proclamation did not make it practicable to dispense with their services, especially as the Military Government had voluntarily selected to accept the assistance of the Dominican

officials in the administration of civil affairs. Under these circumstances, refusal on the part of the civil officials to act in their former capacities or failure to cooperate with the Military Government would have caused the Occupation no little embarrassment, and in all probability would have resulted in a serious stoppage of the governmental machinery.

Coincident with the announcement of the Intervention, the higher officials of the Central Government, either abandoned their positions or were forced to resign. They were in most instances immediately replaced by American officers. However, the great majority of the provincial, communal and municipal officials, believing that they had been sufficiently encouraged by the attitude of the Military Government, continued to discharge their duties in so far as was practicable under the circumstances. In retaining their positions, they were either actuated by a sense of duty or realized that they could ill afford to lose the emoluments of their offices.

Several references have already been made to civil officials which may be construed as an unwarranted indictment of their characters. The writer does not wish to appear as unnecessarily prejudiced against the Dominican officials or unfair in his appraisements of their services to the Military Government, for not a few have displayed unusual ability and have faithfully served the interests of the Republic by efficiently performing the duties entrusted to them.

Their status, social and official, had often been deplorable, almost untenable, because of the attitude of their countrymen towards them. They were taunted, maligned and abused because of their acceptance of employment under the Military Government. This by the way was one of the many regrettable phases of the political agitation against the Military Government. These officials were to be commended for their fortitude, and moreover, were a guarantee to any Dominican constitutionally elected body, that it could successfully govern the Republic, if the authorities of the Central Power would suppress their selfish ambitions, cease in their abuse

of authority and devote their efforts to true public service.

Later, however, out of deference to the higher standards set by the civil officials, and the marked improvement in the administration of civil affairs, this authority to summarily dismiss civil officials was materially modified. While commanders still continued to submit reports concerning civil officials, no officer of the Brigade was permitted to disturb the civil officials in their office or restrain their persons, except in case of unmistakable proof of disloyalty to or connivance against the Military Government, or serious crime against the civil law, the grave nature of which demanded immediate action in the interests of justice. Immediate reports of these excepted cases were made to Brigade Headquarters for presentation to the Military Governor.

### CENSORSHIP

In treating with censorship, the writer, for divers reasons, does not feel at liberty to give a complete recital of the varying phases of its application by the Military Government in the case of Dominican Republic. Nevertheless, he cannot refrain from presenting certain facts and explanations, which are purposely intended as a refutation to the many imputations made against the Military Government for the maintenance of the so called "strict and humiliating censorship." And in this instance, as in others, the writer asks the reader's indulgence for having gone outside of his subject in his eagerness to explain certain acts of the Occupation.

Probably no other incident of the Occupation gave the Dominican press and politicians, and, unfortunately, portions of the American press, along with certain societies and persons at home, easier approaches to attack and disparage the purpose of the Military Government than did the establishment of the censorship. Unquestionably, any law or order enunciating a censorship of tongue, press, mail or telegraph is repugnant to modern ideas of freedom of expression, and, in spite of the necessity for any such measure, will evoke the severest criticism. However, it must be remembered that the establishment of

censorships is symptomatic in the history of military occupations, and, in the light of subsequent events, its accession by the Military Government of Santo Domingo was doubly warranted and amply justified.

It is now plainly discernible that the Military Government could not have dispensed with some form of censorship without having seriously endangered its position. A calm reflection of the conditions that existed at the time of the Intervention and of the occurrences that followed vindicate the Military Government's action in restricting the freedom of press and speech. It must be appreciated that the Dominican people did not solicit the assistance of United States in the solution of their difficulties, which was substantially confirmed by the show of armed resistance made against the American invading forces. Another point which has equal, if not greater significance than the initial entry of American forces itself, is the fact that American authorities found the Republic a seething cauldron of political eruption, which they could neither afford to ignore nor escape.

In April, 1916, General Desiderio Arias, Secretary of War, aspiring to power, had deposed President Jimenez and usurped the executive prerogatives. With another revolution imminent, President Jimenez gave his consent to the landing of the American forces. Jimenez's action was promptly disavowed by the Dominican authorities, culminating in his immediate resignation. The Dominican congress and ministry then chose Dr. Henriquez y Carvajal as provisional president, but before recognizing this election, the United States required the execution of a new treaty, which would assure the preservation of law and order and an honest control of the Republic's finances. President Henriquez refused to accede to these demands and after a deadlock of several months the United States was impelled to declare a military occupation.

It can be seen that under these circumstances, regardless of the legality of our rights to intervene in Santo Domingo, that there would be a great outcry against the Occupation; that the Mili-

tary Government would be the butt for repeated attack by some sections of the press and politicians, openly maligning its methods, falsely construing its policies in their endeavors to breed hatred among the inhabitants and incite them to armed hostility. This was certain to occur in a country which, heretofore, had admitted of no restraint.

Therefore, it was only natural to suppose, that one of the first acts of the Military Government would be to declare a state of censorship. On the day the Occupation was formerly proclaimed, the Military Governor issued an order pronouncing the establishment of a censorship, the existence of which was immediately communicated to the Dominican press. The order was addressed to the Brigade Commander, who took the additional precaution of publishing the full text of the order in the form of a proclamation to the Dominican public.

The order decreed that any comment on the attitude of the United States or anything connected with the Occupation would first be submitted to the local censor for approval, and that no comment could be printed without having been passed favorably by the censor. Particularly did it forbid the publication of violent and inflammatory articles or those advocating hostility or resistance to the Military Government.

The order further provided, that any newspaper or periodical violating the order would be immediately suspended and the responsible persons, owners, editors or writers made liable to punishment by the Military Government. The same inhibitions were applied to the printing and distribution of posters, handbills, or similar means for spreading propaganda with the object of disseminating views unfavorable to the United States or the Military Government. Telegraph and cable communications were also placed under the control of the Occupation.

Whereas, the order did not explicitly ban free speech, the letter and spirit of the order clearly intended to include all comment, written or spoken, reflecting upon the attitude of United States or the Military Government. Such at least was the construction given to the

order by the censors. Public speeches were likewise made subject to the same regulations governing printed or written matter. Public gatherings or assemblies were not allowed, except authorization was first received from the provost marshal. Incidentally the Dominican politicians and agitators avoided the necessity of securing such permission by holding political meetings at social clubs, where gatherings were not subject to the rules of censorship.

The authority to appoint censors clearly fell within the province of the Brigade Commander. The power or activities of the censorship were more or less confined to the intelligence department. The Brigade intelligence officer was detailed as chief censor, and the regimental and battalion intelligence officers stationed at the several headquarters apparently acted as his assistants. At posts not possessing a representative of the intelligence sections, the provost marshal assumed the responsibilities and duties of the censors. It is understood that the immigration inspectors also composed a part of the censorship system. These officers with their personnel, secret operators, interpreters and intelligence experts were pre-eminently fitted to handle the details involved in the maintenance of an efficient and adequate censorship. In this general scheme of control, the district commanders undoubtedly supervised the functions of the censors within their respective districts. In the event the district commander did not desire to take action because of some technicality involved, or of the unusual character of some case, instructions were requested from Brigade Commander or the chief censor.

As anticipated, the execution of censorship raised a great hue and cry, and much bitter feeling was expressed, because of the sentences awarded by military courts for violations of the law. These protestations were not alone confined to the Dominican press and individuals living in the Republic, but found voice in the Latin American countries and the United States, and were probably taken cognizance of in high official quarters at home, because of their vehemence and widespread publicity.

On January 17, 1921, censorship in Santo Domingo was abolished by Executive Order No. 385; but protection was still as indispensable as ever. Realizing this necessity, the new order prohibited any person from publishing an article or making a speech in public: (a) that taught bolshevism and anarchy or practices contrary to public morality; (b) that advocated hostility against the United States Government or the Military Government, its officers or policies so as to incite the people to unrest, disorder or revolt; (c) that would slander the conduct of the United States Government or the Military Government or their officers in such a manner as to create disorder or revolt in the Republic; and (d) that would describe conditions in Santo Domingo manifestly unfair and false in such terms as to incite the people to disorder. The rights of assembly and free speech were not denied in so far as they did not conflict with the provisions noted above.

The order further provided that any person violating the prohibitions was amenable to trial and punishment by the Military Government; that the newspaper or periodical in which the article appeared might be suspended and the hall or public place in which speeches were made violating the order might be closed.

A year had not elapsed when Executive Order No. 385 was followed by Executive Orders Nos. 572 and 573. The first of these (Sedition Law) revoked the greater part of Executive Order No. 385 but was an exact duplication in many respects with specific reference to penalties. Order No. 573 (Defamation Law) provided punishment for libel and slander against the United States Government or the Military Government, and their representatives, civil or military. Imputations or statements made against an officer or civil employee, if true, were neither considered slander nor libel.

These two orders were characteristically lenient as to constitute a decided change from the original Censorship Order of 1916. It is difficult to discover any cause for just censure of these laws, but they had hardly been published when they were repealed by Executive Order No. 591, promulgated January 8, 1921.



This order when boiled down practically limited itself to the prohibition of doctrines teaching anarchy and practices contrary to public morals. It also contained an appeal to the loyal citizens of the Republic to exercise the highest patriotism, in order to assist the Military Government in maintaining public order.

The authority delegated to the district commanders to convene superior and provost courts and empowered them to try persons for violations of the Censorship Order of 1916, and also in accordance to the provisions of subsequent orders governing the freedom of the press and speech. The district commanders experienced little or no difficulty in enforcing Executive Order No. 385 by access to the military courts, but apparently were somewhat exercised as to the manner in which to proceed under Executive Order No. 591. Their indecision was due doubtless to the fact, that they were the first to feel the change in policy relative to the freedom of public expression, and, furthermore, because of the moderate tenor of the latest order which had shorn all previous orders of their effectiveness in muzzling a mad and vicious press.

As a result of the publication of several articles in August, 1921, of an unusual malicious and incendiary character, and also to alleviate the situation remarked in the preceding paragraph, the Military Governor, in September, 1921, authorized the district commanders to suspend newspapers temporarily when in their judgment it was necessary. All facts were promptly communicated to Military Governor accompanied by recommendations as to whether the suspension should be permanent or temporary only; final action was reserved by the Military Governor.

### **PROVOST COURTS**

The Military Government desired no usurpation of the civil or municipal laws, which were in force for the governance of the inhabitants in so far as they did not conflict with the object of the Occupation; this concession virtually obliged the Military Government to approve a limited continuation of Dominican civil jurisprudence. There-

fore, the Dominican judiciary was not disturbed, but left to function for all civil litigation between the inhabitants, including jurisdiction over criminal acts to which the forces of the Occupation were not a party, or with which the Military Government was not intimately or directly concerned.

But measures had to be taken to exact from the inhabitants due respect and obedience to those mandates, decrees and orders of the Military Government, which were issued for the very reasons that called the Occupation into existence. In order to insure their enforcement, there was enacted or instituted a system of exceptional military courts. This court system, consisting of provost courts, superior provost courts and military commissions, was given jurisdiction over such inhabitants and sojourners of the Dominican Republic, not including the members of the military services of the United States, as committed offenses against the laws of war or the Military Government.

In September, 1917, the Military Governor empowered the Brigade Commander to convene exceptional military courts in the Dominican Republic and further authorized him to delegate this authority to competent subordinates. The first Brigade General Order issued on the subject of military courts authorized the district commanders, regimental commanders, battalion commanders and post commanders where no superior was in command to convene provost courts. The same powers were delegated in the case of superior provost court with the exception that post commanders were not authorized to convene these courts. Later in 1920, an order was issued revoking the previous order, and at the same time, stating that the district commanders would be the only persons authorized to convene provost, and superior provost courts within their respective districts. The Brigade Commander was the only officer holding power to convene military commissions.

The provost court consisted of but one officer, and in actual practice he was frequently an officer of subaltern rank. This court could not impose a sentence of confinement at hard labor for more than six months or fines ex-

ceeding \$300. Superior provost courts consisted of three officers, the senior member of which, when practicable, was a field officer. The procedure ordinarily adhered to the rules prescribed for the summary court martial of the United States Navy. The superior provost court could impose a sentence of confinement at hard labor not in excess of five years or fines of more than \$3,000. Sentences awarded both by provost and superior provost courts, which combined fine and imprisonment could not be in excess of the total limit prescribed for confinement counting the computation of fines at the rate of \$2.00 per day. The military commissions closely resembled our general court-martials in constitution and procedure, and were composed of at least five commissioned officers as members. The president was always an officer of field rank, while the members were not below the rank of captains. A military commission was empowered to impose the death penalty, and while these severe penalties have been adjudged in Santo Domingo, the sentences were never carried into execution.

Provost courts were analogous to civil police courts and were essentially for the purpose of administering summary justice in the case of minor infractions. Persons were brought to trial before this court for such offenses as unlawful possession of firearms and ammunition, aiding and abetting in banditry, stealing and destroying government property, selling intoxicating liquor to members of the forces of Occupation, and violations of Executive Orders Nos. 385 and 591. Superior provost courts ordinarily tried persons for assaulting members of the Occupation, giving material aid to bandits or engaging in banditry, and the more serious infractions of Executive Orders Nos. 385 and 591. Military commissions tried such cases as murder, rape, robbery, banditry and engaging in armed resistance against the Military Government. The above is but a general classification of offenses of the more common type, as there were many others, and it should be understood that there was a concurrence of jurisdiction by the different courts according to the gravity of the offense or its surrounding circumstances.

As regards all exceptional military courts, the convening authority and the Military Governor were the only officers having the power of mitigation. All records were forwarded to the Military Governor for his action and after being reviewed were submitted to the Judge Advocate General of the U. S. Navy for final action. All provost and superior provost courts, before being forwarded to the Brigade Commander, bore the endorsement of the local provost marshal, stating that the sentence as approved by the district commander had been carried into effect.

During the active administration of the Military Government, that is, prior to the installation of the Provisional Government on October 21, 1922, the number of trials of Dominicans and sojourners by exceptional military courts was as follows:

<i>Provost Courts</i>	3,109
<i>Superior Provost Courts</i>	402
<i>Military Commissions</i>	69

These figures include the trial of a considerable number of the members of Policia Nacional Dominicana for military offenses, as this organization did not possess a military system of jurisprudence for the trial of military offenders. From April, 1917, to December, 1919, two hundred and eighty members of the Guardia were tried by exceptional military courts for purely military offenses.

Much criticism has been heard on all sides as to the trial of offenders by provost courts for the violation of an order of the Military Government, and it is a fact that many cases have been disapproved by the Navy Department, either because of irregularities in the proceedings or because of lack of jurisdiction. Some were disapproved as a matter of policy.

Many Dominicans had contended that the courts had been arbitrary and ruthless, in that the rights of the accused had been denied; that the charges had been mere fabrication; that the evidence had not been sufficient to warrant a trial and that cases had been tried over which the courts had no jurisdiction. But it must be remembered that the Dominican had been motivated by bitterness and hatred, and that he could see no

good in the Occupation; every act had been one of odious subjugation and oppression.

Nevertheless, it is believed that as a general rule there had been no great miscarriage of justice. In the early history of the Occupation conditions were chaotic; and many of the inhabitants were incorrigible, necessitating the use of strong measures. It is not strange that some mistakes were made, but it was through no desire to be cruel or unjust, but rather through a lack of experience, training and proper perspective. Although, but the personal opinion of the writer, it is believed that greater care could have been exercised in the selection of the provost judges. Young and inexperienced officers were in nowise pre-eminently fitted for assignment to these duties, unless they had been carefully prepared in the procedure of exceptional military courts, and the application of their rules and principles. The innate character of the military occupation makes an offense against martial law or the laws of war a serious misdemeanor, and great care must be exercised in not throwing the onus of proving his innocence on the accused.

A one man court places unusual powers in the hands of one person. When such a court is used to try an individual, whose language, habits, customs, and sense of right and wrong are different from that of his judge, the ability to administer impartial justice must depend upon the latter's good judgment with the ability to understand human nature and the faculty to appreciate the position of the accused. In this very connection a knowledge of the psychology of an alien people laboring under a military occupation is equally as essential to an officer's professional training, as the correct learning of the proper application of the rules and regulations laid down for hostile occupations military governments. Probably one of the most confusing sides of the military occupation of Santo Domingo was the effort on the part of the military authorities to understand the characteristics of the Dominican people; their characters having been so varied as to permit of nothing more than a hypothetical study.

## DEPORTATION

Soon after the establishment of the Military Government it became imperative to enforce the Dominican laws applicable to immigration so as to guard against the influx of any large number undesirable aliens. Without particular reference to the many executive orders and regulations governing immigration and deportation, it is considered sufficient to note that the forces of the Brigade greatly assisted in their enforcement. For instance, at the Dominican ports of entry, where the forces of Occupation were stationed the duties appertaining to the Inspectors of Immigration were performed by the officers of the Brigade in accordance with the Dominican laws. These titular inspectors supervised the work of the Dominican officials, carefully observing that all laws and regulations were strictly complied with. Consistent with the policy of separating the Brigade from all affairs not strictly military, the Brigade officers were finally relieved of these duties and were replaced by civil officials. However, these reliefs were not effected until the Military Government had satisfied itself that conditions warranted the change.

Through a system of surveillance it was early revealed that the Republic harboured many undesirable sojourners and immigrants, who had evaded the requirements of the Immigration laws. Their expulsion from Santo Domingo was essential to the welfare of the Republic and to the security of the Military Government. Usually these individuals were ejected from the Republic by a deportation order issued by the Department of Agriculture and Immigration following the sentence of a civil court, military court or the findings of an investigation, disclosing failure to comply with the Immigration laws or implication in activities inimical to the Military Government. The greatest number of deportations occurred in the cases of Haitians, who had failed to conform to the requirements of the law. While the order for their deportation was issued to the Brigade Commander, the Haitians were escorted to the border by members of the Policia and turned over to the Haitian authori-

ties. Ordinarily all other deported aliens were placed on vessels by members of the provost department sailing from ports of entry to their native land or to the country from which they had last arrived.

### **CLAIMS AND DAMAGES**

The officers of the Brigade, irrespective of their assignments, were frequently detailed to make investigations growing out of claims for damages to private property and personal injuries lodged by Dominicans and sojourners against the Military Government. These investigations were conducted in the ordinary manner as prescribed by Naval Courts and Boards, or by an officer, who acting in obedience to orders, submitted a report of his inquiries and observations to higher authority.

No just censure can be opposed to these investigations, for they were conducted in all fairness to the injured party and every effort was made to repair or adjust the injury in so far as practicable. However, it would seem that the selection of some uniform system to determine beforehand all situations that might be expected to give rise to future claims for damages, would have greatly simplified their solution. While the troops were repeatedly cautioned against the destruction of private property, and forbidden to trespass on private property or molest the inhabitants, it does not appear that detailed instructions were issued relative to the use of private property for the purpose of securing data in anticipation of future claims for damages. This assumption is partly substantiated by the difficulty or failure to establish all the facts in connection with the claims submitted long after the date of the alleged occurrence resulting in damage or injury. Moreover, investigations were frequently not ordered until the injured party had made claim on the Military Government, or after presentation had been made by a foreign consular agent to the State Department of the United States Government.

Although, but the personal view of the writer, it is believed that the matter of "claims for damages" could have been more systematically conducted and

expeditiously concluded by instituting a claims department. Such a department could have operated more or less independently or functioned as a part of the provost service. The provost marshals would have then been in a position to make all preliminary surveys of privately owned property, occupied, used or requisitioned by the forces of Occupation, and the inhabitants informed that all claims for damages to private property or for personal injury would be made to the nearest provost marshal.

The provost marshals could have been instructed to inquire into the value of any land or property intended for the use of the Occupying forces provided the Military Government decided to pay rental, and could have examined the condition of property prior to and immediately after the occupancy by the troops in order to estimate the degree and nature of any damage, if such occurred. Damages in such cases would include injuries to buildings, loss or injury to their accessories, and the destruction of fences or crops in the vicinity. The same principle could have been applied to the loss or death of animals hired or requisitioned for the purpose of transportation, and the extent of personal injuries sustained by an inhabitant due to the act of a member or members of Occupation with the object of deciding his future earning capacity. Moreover, these investigations would further determine whether damages were the result of a wilful act, negligence, accident or unintentional injury, or whether alleged damages were occasioned by the ordinary wear and deterioration.

In this way sufficient evidence would have immediately been available to pass judgment as to whether adjustment for damages should be made by compelling the individual to pay for the injury, or whether the circumstances were such that it would be proper for the United States to assume responsibility for damages caused. The Military Government could have notified the inhabitants through the provost marshals that no claims for damages to property or personal injury would be allowed which might arise from the ordinary incidents of the military occupation of

Santo Domingo, such as warfare against banditry or operations necessary to the maintenance of the public safety, and committed without malicious intent or carelessness on the part of any member of the Occupation.

The reports, investigations and recommendations of the provost marshals could have been promptly submitted to the district commander for his action, before being forwarded through the provost marshal general's office to the Brigade Commander and Military Governor for their consideration. All files and records could have been retained in the provost marshal general's office for future reference.

The establishment of a claims department would have done away with the confusion and the misunderstanding that arose from time to time, and would have been the means of gathering reliable and first hand evidence necessary to protect the interests of the United States Government, and at the same time permitted the making of equitable adjustment for all claims submitted by the inhabitants or aliens residing in the Republic. Liberty is taken to suggest that one of the first acts in the future operation of the Marine Corps involving the military occupation of foreign countries be the organization of a claims department on lines similar to the foregoing.

### **SANITATION**

When the American forces entered Santo Domingo, they found the country in a deplorable state of sanitation, and although there was a sanitary code, no measures had apparently ever been taken to enforce the law. A public health service did not exist, notwithstanding that provisions had been made to supervise such a service through a National Superior Board of Health and a Provisional Board of Health in each province. These were names only, and the personnel was inadequate and totally incompetent to inaugurate a crusade for promoting better health and sanitary conditions.

The great majority of the inhabitants were ignorant of the first rules of sanitation; cities and towns were without sewage systems; the streets and patios were



the habitats of the domestic animals; the garbage was dumped indiscriminately or taken to the edge of the town to accumulate as a fetid decaying mass; only the better class of houses boasted of cess pools and latrines which in many cases were improperly constructed; cemeteries and slaughter houses were located within the community limits; the water supply was often inadequate, the inhabitants depending upon the rains for their needs, and in the more remote localities was secured from the pools and lagoons accessible to the animals. These conditions caused soil and water pollutions with the pernicious effect of constantly endangering the health of the community. One medical officer in lamenting the lack of protective health measures in one particular town stated: "Indeed, considering the sanitary conditions, it was a matter of constant surprise that there were not more cases of illness, and I came to the conclusion that these were a very virile people."

The Military Government immediately took steps to improve conditions. Shortly after the establishment of the Occupation the position of Chief Sanitary Officer was established but, unfortunately, the authority to administer the health service still remained vested in the Dominican bodies. However, in cities and towns occupied by the armed forces general sanitation was greatly improved through the personal efforts of the Naval medical officers assisted by the commanding officer of the troops. Initial measures consisted in cleaning the streets and patios, effective removal of garbage, the construction of latrines, the closure of polluted wells, and control of the water supply and infectious diseases in so far as was practicable. These measures were essential, if for no other reason than to protect the health of the troops garrisoned in the populated areas. One commanding officer in speaking of his efforts to clean up one of the larger cities of the Republic, in which his command was stationed, stated that in three weeks he had removed from the streets and back yards of houses, 2,400 dump carts of dirt and debris, and only after repeated attempts did he succeed in having the cisterns, public markets

and restaurants placed in a sanitary condition.

When it became apparent that the Dominican health authorities would not respond to desires of the Military Government in improving sanitary control, the Sanitary Law was materially modified, and the various municipalities were obliged to make appropriations from their incomes for the purpose of sanitary improvements. Finally the Department of Sanitation and Beneficence was established, and the old Sanitary Law, the Medical Law and the series of executive orders in connection therewith were abolished. The health service had now become a national institution in every sense of the term. The Department was placed under an officer of the Medical Corps, with such skilled assistants as were absolutely essential. His duties were both administrative and educational in character in caring for the personal and communal health of the Republic, in promoting cleanliness, in advocating the value of vaccination, in the disposal of refuse and the preparation of water for personal consumption. The more reliable members of the Dominican medical profession were selected or retained as sanitary officers and public appropriations were immediately made available for imperative needs.

#### PROPOSALS FOR WITHDRAWAL

There was no intention on the part of the United States Government to permanently occupy Santo Domingo with the deprivation of the sovereign rights of the Dominican people. Contrary to common belief, the Military Government, acting under instructions from the Navy Department, purposely refrained from prolonging the Occupation and endeavored on several occasions to pave the way for an early withdrawal. The position of the United States relative to the duration of the military occupation was unequivocally expressed in the Proclamation of Intervention, issued November 29, 1916, wherein it was stated that: "This Military Occupation is undertaken with no immediate or ulterior object of destroying the sovereignty of the Republic of Santo Domingo but, on the contrary,

is designed to give aid to that country in returning to a condition of internal order that will enable it to observe the terms of the Treaty aforesaid and the obligation resting upon it as one of the family of nations."

In conformity to the spirit of the proclamation, three attempts were made to provide ways and means of withdrawing the American Forces, and induce the Dominican people to accept their autonomy. The first two attempts were ineffectual due to the machinations of the Dominican politicians, who convinced the Dominican people that the terms as proposed by the United States Government for the dissolution of the Military Government represented the imposition of American imperialism. In these two instances the political leaders demanded an immediate and unconditional withdrawal when they must have realized the necessity of a gradual disoccupation, in order to avoid all probability of a recurrence of these calamitous events which led to the intervention in 1916.

On December 23, 1920, practically three years after the establishment of the Occupation, the Military Governor issued the first proclamation of withdrawal, which had been designated the "Wilson Plan." This plan announced that the United States believed the time had arrived to inaugurate the simple processes of a rapid withdrawal of the Forces of Occupation. The essential features being the appointment of a commission of representative Dominican citizens, and to include therein an American technical adviser. This commission was to be entrusted with the formulation of amendments to the Constitution and a general revision of the laws of the Republic, together with the drafting of a new Electoral Law.

The plan was frustrated by the combined efforts of the Dominican Press Congress and the Dominican National Union. The Dominican National Union by resort to political stratagems succeeded in preventing the appointment of the Commission and at the same time called for absolute independence and sovereignty without qualifications of any nature. Hence, the withdrawal situation was turned over to president

Harding's administration unchanged, and the "Wilson Plan" had no other effect than to propel the local politicians into unusual activity.

President Harding as a presidential candidate in 1920, promised, if elected, to withdraw the U. S. Marines from Santo Domingo. Consistent with this promise, on June 14, 1921, the new Military Governor issued a proclamation, which was known as the "Harding Plan." An evacuation was promised within a period of eight months, if the Dominican people would lend their cooperation in establishing a stable government and assist in completing a withdrawal. The principal conditions of this convention of evacuation were: The ratification of all the acts of the Military Government; the validation of the final loan of \$2,500,000; the extension of duties of the General Receiver of Dominican customs to cover this loan and also the collection and disbursement of a portion of the internal revenue if the customs receipts were at any time inadequate to meet the service of the foreign debt; and the maintenance of an efficient Guardia Nacional officered by Dominican officers, but organized and trained under the direction of an American Military Mission.

Again the Dominicans protested, and even more violently than in the case of the "Wilson Plan." The plan was rejected on the grounds that it virtually meant the establishment of a protectorate over the Dominican Republic. When it was manifest that the Dominicans would abstain from holding elections as the initial step in the disoccupation, the Military Governor issued a second proclamation on July 27, 1921, postponing the elections indefinitely. This announcement came as a surprise and completely nonplussed the politicians, who heretofore had been in one accord that there would be no voting. Moreover, it was the United States Government's answer to the volcanic outburst made by the Dominican press and politicians against the "Harding Plan."

In December, 1921, a United States Senatorial Investigation Commission visited Santo Domingo for the purpose of hearing the complaints of the

Dominican people. This Commission in a preliminary report declared that inasmuch as the political leaders in the Dominican Republic had rejected the proposals for the withdrawal of the American Forces and since at that time it was impossible to advise a substantial modification of the terms of the "Harding Plan," the American Forces should not be removed. The Dominican political leaders were quick to sense the change on the part of the United States, and realized that all future overtures would have to emanate from the Dominican people. Early in 1922 several of the leading politicians went to Washington in hopes of arranging a plan of evacuation that would be acceptable to the Dominican people. Numerous conferences were held with the United States Secretary of State, and there was finally evolved a convention of occupation, known as the "Hughes-Peynado Plan." This plan was accepted by the Dominican people.

Before concluding this article, the writer cannot refrain from referring to the many accusations made against the occupying forces of the Military Government, relative to their conduct towards the Dominican inhabitants. Regardless of the most rigid control and the best intentions, the history of all military occupations will disclose some abuses and errors in judgment. As civil governments are not infallible, no more so are military governments, and the fact alone, that military occupations ordinarily have their inception in the failure of civil processes, make the functions of armed occupation exceedingly difficult, and peaceful solution of problems often impossible.

The Military Occupation of Santo Domingo was not without the presence of abuses. Again, it is only honest to admit that some mistakes were made that could have been very well avoided. However, it is contended that the Military Government of Santo Domingo was as free of abuses as was humanly possible under the circumstances. Moreover, the charges of wholesale atrocities culminating in a region of intense terror, which are alleged to have distinguished the American Occupation of Santo Domingo, were false and a grave injustice

to the rank and file of the Marine Corps. Such outrages as were committed were sporadic, the acts of individuals, deeply deplored by the great majority of officers and men. The Military Government has expressed its disapproval of these acts in awarding the most severe punishment, when it has been possible to apprehend the offenders. On the other hand, the patience of the officers and men were sorely tried, when as victims of the Dominican agitator they were grossly maligned. The members of the Second Brigade were a force representing law and order, and restored public tranquillity to a country, whose inhabitants had not enjoyed for generations that state of peace so indispensable to happiness and prosperity. The records of the Brigade stand as proof that this task was accomplished under the most trying and adverse circumstances, and at a cost of great hardship, sickness, bloodshed and death.

The favorable acceptance of the Hughes-Peynado plan of evacuation by the Dominican people served to abrogate the powers of the Military Government, and functions previously performed by the Military Government were taken over by the new government, which although in no way obligated to do so, could under certain circumstances solicit the aid of the Occupation. This relinquishment of control transformed the Brigade into a potential force, whose further employment was not only curtailed, but restricted within well defined limits. From a puissant force controlling and supervising the military affairs and assisting in the civil functions of the Dominican Republic, the detailed agreements entered into between the Dominican Commission and American Commissioner, based on the plan of evacuation, wholly changed the Brigade's military complexion as an armed force in occupation of alien territory. The transition was complete and simultaneous with the inauguration of the Provisional Government on October 21, 1922.

On June 30, 1922, after numerous conferences held at Washington between the Secretary of State, Mr. Hughes, and Messrs. Vasquez, Velasquez, Brache and Peynado, the first

three representing the different political parties in Santo Domingo, and the latter being the former Dominican Minister to the United States, agreed upon a program of evacuation since known as the Hughes-Peynado plan. The salient features of the plan were as follows:

1. A Provisional Government composed of Dominican citizens selected by representative Dominicans would be installed to carry out such legislative and constitutional reforms as might be deemed appropriate and would hold general elections for the installation of a permanent government without the intervention of the Military Government.

2. Upon the inauguration of the Provisional Government, the Executive Departments of the Dominican Republic would be turned over to the newly appointed members of the cabinet and American officials in charge of the cabinet offices of the Military Government would lend their assistance to the respective Secretaries of the State of the Provisional Government whenever requested. Furthermore, the Military Government would deliver the National Palace to the Provisional Government, and, at the same time, the Occupying forces would be concentrated at one, two or three places to be determined by the Military Governor. From that date peace and order would be maintained by the Dominican National Police under the orders of the Provisional Government, except in the case of serious disturbances, which in the opinion of the Provisional Government and of the Military Governor could not be suppressed by the forces of the Dominican police.

3. The Provisional President would designate plenipotentiaries to negotiate a convention containing the following provisions:

- a. Recognition by the Dominican Government of all executive orders and administrative regulations promulgated by the Military Government and validation of contracts entered into in accordance with these orders, with specific recognition of the bond issues of 1918 and 1922.
- b. That the convention of 1907 should remain in force so long as

the bond issues of 1918 and 1922 remained unpaid.

4. Upon the completion of the elections in accordance with the constitution, the national congress would approve the convention and would pass a law recognizing the validity of the executive orders. Immediately upon taking office, the Constitutional President would sign the law ratifying the executive orders and the convention, and the military forces of the United States would thereupon leave the Dominican Republic.

In order that the United States Government might be advised without delay whether the provisions of the agreement met with the approval of the majority of the Dominican people, the President of the United States appointed Mr. Sumner Welles as Commissioner, with the rank of envoy extraordinary and minister plenipotentiary to represent him in the Dominican Republic. The American Commissioner arrived in Santo Domingo during the latter part of July, 1922, and proceeded immediately to make a study of conditions, for the purpose of ascertaining the views of the Dominican people respecting an appropriate agreement with the United States as a result of which the armed forces might be withdrawn. He was also to compile a definite list of the executive orders which the United States Government believed should be validated before the disoccupation, and to arrange for the details of the plan with modifications or alterations whenever greater clarity might be obtained by amendments.

The plan of evacuation mentioned by name a Dominican Commission consisting of General Horacio Vasquez, Don Federico Velasquez, Don Elias Brache, Don Francisco Peynado and Monsenor Dr. Adolf Nouel. This Commission, a representative body of the Dominican people, empowered to make appointments to the offices of central power of the Provisional Government and given control of certain other powers regulating the functions of the Provisional Government, was happily composed of the most eminent and best informed men of the Republic.

Negotiations relative to the settlement of the detailed arrangements of the Hughes-Peynado plan became the matter of almost daily conferences between the American Commissioner and the Dominican Commission, soon after the arrival of the former in the Dominican Republic. The appointment and duties of these representatives, gave rise to a peculiar and conflicting situation, which, however, was soon relieved by a clearer conception of the intentions of the plan.

The Military Government had for several months been diligently working out the Proclamation of March 6, 1922, which provided for the continuance of the military occupation until approximately July 1, 1924. This Proclamation withdrew and annulled the two previous plans of evacuation, and stipulated that the Military Government would continue to operate in accordance with the Proclamation of November 29, 1916, and, furthermore, would continue its program of public works and public education, and organization and training of a Dominican military force sufficient to preserve order in the Republic without the aid of the Military forces of the United States.

In this instance the Military Government had committed itself to a definite line of action extending over a period of almost two and one-half years, and had been operating for several months in conformity with a well prescribed program, when it became known that radical changes would have to be instituted immediately in order to harmonize with the new plan of evacuation. This condition was further aggravated by the fact that the Military Government had not been fully apprised of the circumstances attending the origin and purposes of the Hughes-Peynado plan. Naturally considerable difficulty and misunderstanding were encountered in advancing the initial steps of the disoccupation, and up to the time of installation of the Provisional Government, the Military Government found itself unprepared to cooperate as fully as could be wished, even though generously disposed to render every assistance within reasonable bounds.

Upon the efficacy with which the Provisional Government managed the



functions ascribed to it, depended the future autonomy of the Dominican people and the right to express their desires for self rule in the form of a constitutional government. The chief duty of the Provisional Government was to carry out the terms of the plan of evacuation, wherein it was held responsible for its acts. To this end, the Military Government was to announce that the Provisional Government would assume from the date of its installation, administrative powers to carry out freely the provisions of the plan. Virtually speaking this announcement was a delegation of authority by the Military Government and with the assumption to the control of the affairs of state, the Provisional Government became the more important party to the plan.

Impelled to strict adherence to the provisions of the accepted plan and charged with the proper inception of the Provisional Government, the Military Government was, nevertheless, the controlling factor in the granting of concessions necessary to the inauguration and effective functioning of the Provisional Government. The Military Government continued to be the real power until such time as the reins of the government could be turned over to the Provisional Government and all proposals for the disoccupation were presented to the Military Government for its careful deliberation and action. As the Dominican politicians had always nourished a strong antipathy to enter into negotiations with the Military Government, the American Commissioner acted as the mediator in the interests of both parties, and by an impartial and conciliatory attitude was able to avoid numerous disagreements and deadlocks in the opening negotiations.

The Dominican Commission early displayed a tendency to reduce the Military Government to a state of impotency, which had it taken shape in the detailed agreements would most likely have placed the forces of the Occupation in an untenable position. This attitude imperatively required the Military Governor to insure the Occupation against such encroachments as might leave the Occupying forces without sufficient means to guarantee their physical and

moral safety, and at the same time be assured that the benefits which had accrued to the Dominican people, as result of seven years of Occupation, would not be irretrievably lost. Outside of matters pertaining to its own protection, the Military Government was actuated by a spirit of conciliation during the negotiations, trusting to allay the suspicions of the Dominican Commission and incidentally to neutralize the unfavorable comments that were sure to emanate from a prejudiced and vicious press.

### CONCENTRATION

The plan of evacuation stated that the Occupying forces would be concentrated at one, two or three places as might be determined by the Military Governor. The date of concentration was definitely set for October 21, 1922, on which date the Provisional Government assumed control, and at which time the National Palace was vacated by the Military Governor and his cabinet officers.

While improved conditions had greatly altered the unfavorable situation that marked the earlier years of the Intervention, it should have been clear to the most skeptical that the causes which had originally determined the method of garrisoning and disposing the forces of the Brigade still existed to a marked degree.

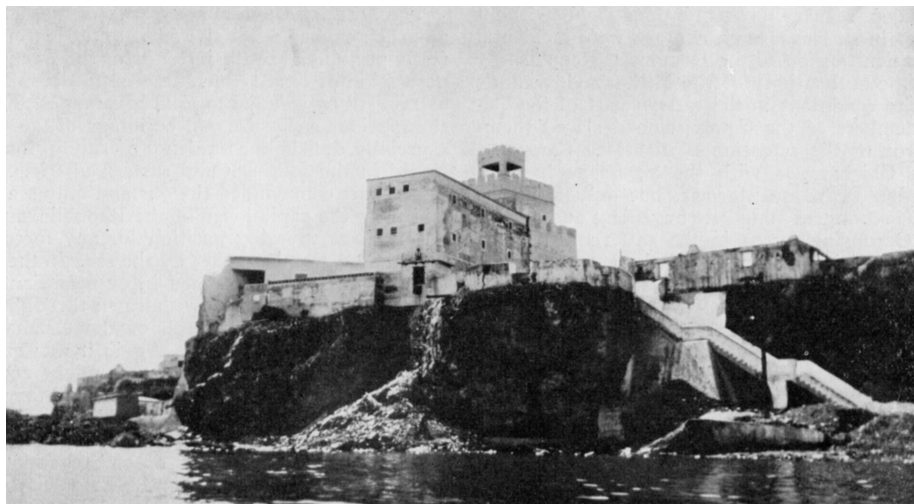
The concentration of the Brigade necessitated the relief of numerous outposts by some other force qualified to preserve peace and order, and not the mere abandonment of these stations. A force was being trained and organized for this purpose, but its numerical weakness did not permit an immediate and complete relief. Fortunately, the disadvantage never developed any serious aspects, and was in an appreciable measure mitigated by instructions which were received from Washington early in June, 1922, directing the prompt concentration of the Brigade; the relief of the Brigade from the ordinary constabulary and police duties by the Policia Nacional Dominicans: the reorganization of the Brigade with two regiments and the necessary auxiliary units and the rapid development and

intensive training of the Policia. It is presumed that these instructions were issued in anticipation of the acceptance of the Hughes-Peynado plan of evacuation and were intended to expedite the fulfillment of those provisions of the plan that directly referred to the concentration of the Occupying forces.

The location of brigade and regimental headquarters, their units, the cost entailed in the assembly of troops, the lack of facilities to quarter troops under suitable cover and the disturbed conditions in parts of the country prohibited the Military Governor from selecting one point for the concentration of the Brigade. The choice of two points while affording some relief would have been extremely unsatisfactory, with no other alternative than the assembly of the Fourth Regiment at Puerto Plata or the concentration of the regiment at Santiago, and the separation of the line of communication with the principal port of entry and embarkation. With these requisites in mind the Military Governor on or about September 1, 1922, decided on three points of concentration for the Brigade during the life of the Provisional Government, and notified the American Commissioner that he had selected the following points: Santo Domingo City and vicinity, Santiago and Puerto Plata.

Pursuant to instructions previously received, the Brigade Commander began the concentration on July 1, 1922, and by October 15, 1922, the Fourth Regiment had been assembled at Santiago, less one company and a service detachment at Puerto Plata, and all of the outposts of the First Regiment had been drawn in to Santo Domingo City and environs, except the 1st Battalion (less 44th Company, mounted, at Chicharones), stationed at San Pedro de Macoris. The First Regiment was a new unit, organized and formed during the period of concentration by a consolidation and reduction of the Third and Fifteenth Regiments.

In communicating his decision to the American Commissioner, relative to the number of points of concentration, the Military Governor pointed out that on October 15, 1922, the distribution of the Brigade with the exception of



**Fort Ozama, San Domingo City, D.R. From Roadstead, 1920.**

Chicharones and San Pedro de Macoris would practically comply with the terms of the Hughes-Peynado plan of evacuation. He further stated, that it was not considered wise to withdraw these posts at that time. Conditions within the provinces, where these two posts were located, were still of such disquieting a nature that the withdrawal of the Marines might cause a state of local unrest to confront the Provisional Government at a most inopportune moment. This statement was based on the fact that during the months of May and June, 1922, one hundred and fifty bandits, including their leaders, had surrendered near Chicharones and were living in the vicinity under suspended sentences of military commissions, pending good behavior. The bandit situation was still delicate, and the leaders, suspicious and distrustful, were likely to break their parole on the slightest provocation. The Policia was incapable at this time of relieving these posts, or possessed of the assurance of affording adequate protection to the inhabitants. Consequently the presence of Marines in the locality would be of great moral assistance to the still untrained and numerically weak Policia.

It was expected that the Dominican Commission would oppose some objections to the selection of points of concentration, and when the decision of the Military Governor had been conveyed to them the members of the Commission replied that they regretted profoundly

that the Military Governor should have chosen areas and buildings, which were situated within or too near cities as important as Puerto Plata, Santiago, and Santo Domingo City, especially in and near the latter which was to be the seat of the Provisional Government. The Commission in this case was quick to appreciate the fact that the Military Government still existed, and that it was not possible to obtain the end of the Occupation nor the amelioration of its effects, except through concentration, which, while it might leave the greater part of the Dominican territory free from the forces of the Occupation and the consequences of martial law, must at the same time satisfy the Military Governor in whatever concerned the security of the military forces. This they recognized as his first duty.

The Commission was disposed to assent to the decision of the Military Governor with one exception which is noted later, provided the American Commissioner and Military Governor believed it possible to reach an agreement whereby the limits of the areas of concentration, not having natural and unmistakable boundaries such as the fortresses and storehouses occupied by the military forces, would be precisely defined. These areas particularly referred to camp sites, training centers and maneuver grounds. In giving their assent the Commission also requested the Military Government to lend the services of the wireless stations located

in Santo Domingo City and Santiago to the Provisional Government.

The Military Government acceded to these requests. Occupied areas within the concentration points were carefully located on maps, together with an accurate description of the areas. The radio stations were placed at the disposal of the Provisional Government for official business, under reasonable regulations and without charge except in so far as such charges were incidental to communication outside of the Dominican Republic.

Realizing the authenticity of the Military Governor's statement as to conditions in the eastern part of the Republic the members of the Commission declared themselves in favor of the retention of the 44th Company, mounted, at Chicharones with the necessary base of supplies at San Pedro de Macoris, but only until the Provisional Government found it convenient and safe to replace the Occupying forces in the eastern district by forces of the Policia. The relief of these two stations was not effected until April, 1924.

There were other places outside of the points of concentrations, which, though not essential to the American forces, were, however, necessary for military purposes in the event of disorder. The Brigade had maintained twelve aviation landing fields in the Republic, but with the withdrawal of the outposts all were abandoned except four at the points of concentration. The Military Governor suggested to the American Commissioner that the landing fields outside of concentration areas be retained for emergencies, and that they be maintained in condition for landing by the Policia. This suggestion was based on the fact that the retention of these landing fields would be of considerable importance as a means of quick communication with the Policia outposts in the event of serious disturbances. When the matter was presented to the Commission the members gladly assented and stated that they were in perfect accord with the statements and proposals made by Military Governor.

In connection with the holding of occupied areas within the points of concentration, there was interjected a

startling feature, which may be of interest to officers, who have served in the Republic, as it will give them the means of judging the absurd and unreasonable frame of mind that at times actuated the members of the Dominican Commission.

Upon being informed by the Military Governor of the areas that would be indispensable to the needs of the military forces during the period of concentration, the Dominican Commission asked for one change in the requirements of the Occupation. Their modification referred to the retention of Fort Ozama by the Military Government during the continuance of the Provisional Government.

The military authorities had attached considerable military value to Fort Ozama as it was the principal military stronghold of the Republic and had been continuously occupied by the armed forces since its seizure in 1916. Apparently the members of the Commission were not of the same opinion or they desired to infer by veiled assertion that the retention of Fort Ozama was of no military importance, but was desired solely by the forces of Occupation because of its use as a military prison. They petitioned the Military Governor to vacate and turn the Fort over to the Provisional Government on the grounds that the occupancy of the fort, which was so near the National Palace, by the forces of the United States during the life of the Provisional Government would create an unfortunate impression and would detract very considerably from the prestige of the Provisional Government. The Commission offered in return for this concession any other building which could be used as a military prison by the forces of Occupation, or in case no such building was available they agreed that the Provisional Government would bear the expense of the construction of a temporary prison for the use of the Occupation.

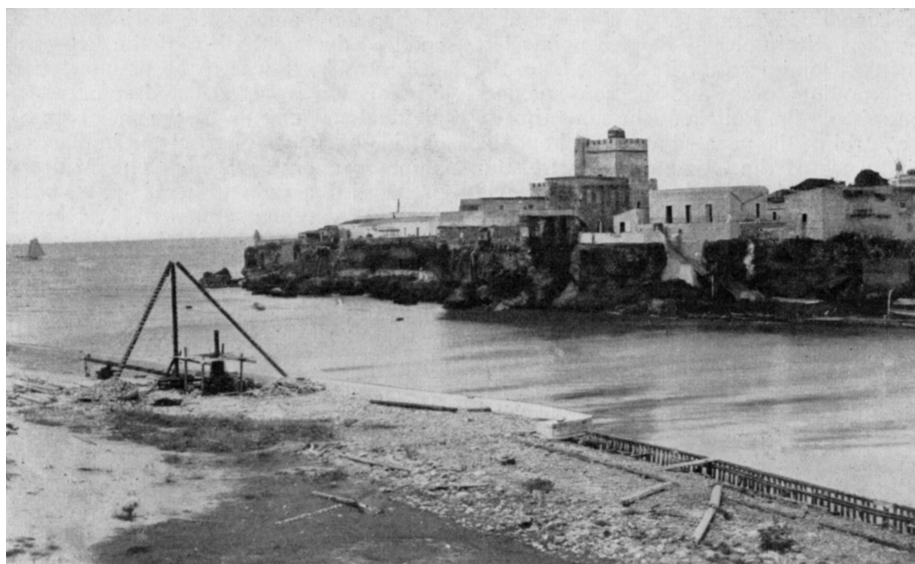
The Military Governor promptly refused to accede to any such exchange for the reason that it would be manifestly prejudicial to the interests of the Occupation. The possession of Fort Ozama assured to the military forces certain strategical and tactical advantages. Fur-

thermore, the spacious enclosure and buildings of the fort made it especially desirable as a depot of supply for troops stationed in the southern and eastern districts.

The fort commanded the one and only sea entrance to and from the capital city of the Republic, and furnished an excellent covering position for any force withdrawn from Santo Domingo City by the sea. In the event of an evacuation, troops stationed in or

that the Fort was occupied by friendly forces, troops quartered therein could be quickly disposed to cover any one of the three main avenues leading into the City on the land side. The fort also commanded the one and only important bridge crossing the Ozama River, which if at any time interrupted would have isolated the Observation Squadron, encamped five miles outside of the City.

Beside furnishing a garrison for three hundred men, there was stored with-



*Fort Ozama, San Domingo City, D.R. From Duarte, D.R., 1920.*

near Santo Domingo City must necessarily be withdrawn through the narrow defile formed by the mouth of the Ozama River and dominated by Fort Ozama. Again it was quite possible that some unforeseen contingency might necessitate the withdrawal of a larger part of the military forces stationed in other parts of the Republic through this same exit. Such proved to be the case. Santo Domingo City was made the main point of embarkation during the evacuation; practically the entire Brigade, personnel and materiel, was embarked and loaded at Santo Domingo City.

The position of Fort Ozama also had a tactical significance. Located in the angle formed by the mouth of the Ozama River and the sea, it occupied an interior position with relation to the outer defenses of the City. Besides giving a feeling of security in the knowledge

in the fort, ammunition, equipment and other stores valued at \$325,000, charged to the Brigade Quartermaster department. There was no other available space or buildings for the troops stationed in the fort or for the receipt, storage and issue of depot supplies. To erect housing facilities for these troops and a depot of supplies at some other place could only have been executed at a great cost to the United States Government and which the Marine Corps was hardly in a position to meet.

In his reply to the request of the Commission, communicated to the American Commissioner, the Military Governor stated that it did not appear to him that the physical nearness of the forces of Occupation should be advanced as an objection, and that if it was so advanced, he would be inclined to take the attitude that this indication would warrant him in insisting on the



retention of every military post of importance.

### CONCESSIONS MADE BY THE MILITARY GOVERNMENT

If grave concern pervaded the minds of the Dominican people and politicians as to what would be the attitude of the Military Government in cooperating with and assisting the Provisional Government, their doubts must have been dispelled by the restrictions imposed upon the forces of Occupation through the concessions made by the Military Government relative thereto.

The concentration of the military forces was the first step in the plan of disoccupation and, as observed before, it was practically completed prior to the installation of the Provisional Government. The permanent assembly of the troops within clearly defined points left the greater part of the Dominican territory free from the presence of the Occupying forces and the consequences of martial law, permitting the Policia at the same time to assume military control of the vacated areas without the interference or influence of the Occupying forces. But beside these advantages, the concentration of armed forces centralized control with reference to the application and enforcement of those concessions which were to be binding on the forces of Occupation. As will be seen these concessions were for the most part applicable to the conduct, movement and liberty of the military forces.

Under the active administration of the Military Government, the military police of the provost department, clothed with broad powers of arrest, had been one of the primary agents in the preservation of peace and order, and had not been particularly popular with the local politicians. The Dominican Commission appeared anxious to regulate the activities and curtail the authority of the military police under the regime of the Provisional Government. Their efforts in this direction were not inconsistent with the plan of evacuation, as it was plainly obvious that the duty of maintaining domestic tranquillity was to devolve upon the Provisional Government.

The Military Governor consented to a plan whereby at the points of concentration the military police would, during the life of the Provisional Government, be maintained by agreement with the local police in the same manner as similar shore patrols were maintained in the United States and in all foreign countries whenever American sailors or Marines were given liberty. He stated that it had been found by experience that such arrangements avoided the stirring up of bad feeling between the local authorities and Marines or sailors on liberty.

It was further agreed that the military police would not be armed with rifles or pistols, but would carry patrolmen's clubs and wear badges indicative of their functions as police authorities. The Brigade Commander strongly objected to this ruling, feeling that in depriving the military police of the use of firearms their lives might be unduly endangered in case of serious disorder.

Shortly after the installation of the Provisional Government, the Military Governor and the Provisional President ordered certain officers and officials to meet in conference to decide the joint functioning and the extent of the duties of the military police of the forces of Occupation, the municipal police, and the forces of the Policia. The conferring authorities decided that the municipal police and Policia Nacional were not to arrest the members of the Occupation, except in such grave cases of disorder, as would not admit of delay, but would immediately inform the military police of the need of action and turn the case over to them. In the event of arrests of Dominicans under circumstances involving members of the Occupation, other than in cases of overt acts committed against the forces of Occupation, it was deemed advisable to allow either the municipal police or the Policia to handle the affair. With the exception of the case above noted the military police were not to make an arrest nor to interfere in the arrest of a Dominican, unless requested by the municipal police or Policia Nacional.

Both the Military Governor and the Provisional Government agreed to the proposals made by the above officials

which were definite and high minded in their purposes. They proved to be of great value in establishing a perfect feeling of cooperation, and developed a spirit of harmony among the various police agencies which endured during the life of the Provisional Government.

Naturally, it was to be assumed that the Dominican Commission would demand some restriction on the individual movements of the members of the Occupation outside of the camp areas and in places not designated as points of concentration. The Military Governor was prepared to accede to their requests with certain reservations. When the members of the Dominican Commission expressed themselves in the matter, it was mutually decided that the enlisted members of the Occupation in any one point of concentration would not be given leave to stroll around except in the city which was nearest to or in which their respective camps were located, and that then they would not be given leave to stroll around except with the understanding that they be disarmed.

There were, however, certain modifications to these restrictions, which were agreed to by the Commission. Organization commanders were authorized to issue special passes to enlisted men in a duty status passing beyond the liberty limits of the points of concentration. In connection with the preservation of the health and morale of the forces of Occupation, hunting and picnic parties were allowed access to specified localities under the proper regulations. No restrictions were to be placed on the movements of officers at any time.

In their eagerness to restrain the movements of the military forces, the members of the Commission made a singular disclosure in their distrust of and lack of confidence in the Military Government; the intention to cooperate whole heartedly in bringing about the disoccupation. On this occasion, they requested that the Military Government confine the members of the forces of Occupation to their quarters on the day or days of the national elections. As there was seemingly no reason or precedent for such an unusual demand, the request of the Commission was received

with undisguised amazement by the Occupation and met with the indignant protest of the Military Governor. But because the Military Governor appreciated the importance of eliminating all obstacles that might preclude the holding of the elections and to remove all causes for future grievances which might be used to show bias on the part of the Military Government tending to frustrate the plan of evacuation, the wishes of the Commission were finally granted.

The Military Governor's answer to the Commission was noteworthy as an example of the forceful and unequivocal manner in which he habitually outlined the stand of the Occupation when he believed his assent or rejection to a concession vitally concerned the prestige or interest of the Occupation. In reading the Military Governor's reply in this instance, it should be remembered that the Occupation had been made unnecessarily obnoxious to a large portion of the native population by the machinations of the politicians, regardless of all efforts on the part of the Military Government to develop and improve conditions within the Republic and establish cordial relations with the inhabitants.

Confirming a statement previously made to the American Commissioner that some other requests, which had been made by the Commission showed on their part an undue interest in attempting to regulate the personal behavior of the forces of Occupation, the Military Governor went on to say: "You are aware of the continuous effort on our part to bring about and to maintain good relations with all the inhabitants of the Republic. All intimations on the part of the Commission, or any other responsible or irresponsible persons, that our physical presence anywhere embarrasses now, or will embarrass them in the future conduct of their Government, have no real foundation, and shows a desire on their part not to meet us in our efforts to maintain good relations. If the Commission desires good relations to be maintained it is incumbent on it to change its attitude in this respect and to produce a change of attitude throughout the country by announcing that the pol-

icy of the Provisional Government will be to maintain good relations with the personnel of the forces of Occupation. The criterion of such good relations will be to accord them the same treatment as would be accorded the military forces of any other country with which Santo Domingo is at peace. The members of the forces of Occupation, while under military discipline, are human beings and American citizens and this fact must be borne in mind in any agreement as to their personal movements. I desire to have it understood that I deem it my duty to interpret our presence here in terms of freedom rather than in terms of restriction."

Prior to elections, which were completed in one day, orders were issued restricting the military forces to their camp areas or barracks, except in so far as it was necessary for a few officers and men to traverse the streets in performance of duties involving military police functions and the supply and administration of the various commands. And even in these cases the officers and men were instructed to carefully avoid the vicinity of the polling booths.

One more concession that may be worthy of mention concerned the custody of civil prisoners. Three of the larger prisons of the Republic were situated within Fortelezas San Felipe and San Luis at Puerto Plata and Santiago, respectively, and Fort Ozama at Santo Domingo City. These forts, held by the military forces, had continued to be used as places of confinement for civil prisoners under the custody of the military forces. Ordinarily from four to five hundred civil prisoners were imprisoned within these forts. When the Military Government signified its unwillingness to surrender Fort Ozama to the Provisional Government, the Commission found itself unable to make specific provisions for acceptance of the civil prisoners, because no other suitable buildings were available for incarceration. The Military Governor knowing full well the difficulty of the situation, agreed to keep, guard, and police the prisoners in these three localities, for a period not to exceed three months after the inauguration of the Provisional Government, this to enable that Government to make

arrangements to confine these prisoners elsewhere.

The Commission expressed its appreciation of the courteous offer of the Military Governor and further requested that arrangements be made so that in the event the Provisional Government should discover it impossible to find within three months adequate buildings to be used as jails, that the time be extended. In a subsequent agreement the wishes of the Commission in this matter were complied with. Arrangements were made several months after the installation of the Provisional Government to turn over the prison at Forteleza San Felipe to a force of the Policia. The few civil prisoners confined in Forteleza San Luis were transferred to the public carcel in Santiago, but the prison at Fort Ozama, with some three hundred civil prisoners, was not turned over to the Dominican authorities until July 12, 1924, the day of the inauguration of the Constitutional Government.

#### **CONCESSIONS MADE BY THE DOMINICAN COMMISSION**

The members of the Dominican Commission, fully aware that the Military Government would insist on certain protective reservations, were prepared to oppose or accede to the demands of the Military Governor. To have selfishly adhered to an inexorable attitude would have protracted the installation of the Provisional Government, and kindled a spirit of disaffection among the Dominican people. The Military Governor's conciliatory stand in yielding to the wishes of the Commission, exemplified in the restriction imposed upon the forces of Occupation, served to induce the Commission to act in a similar generous manner.

Before negotiations had been formally opened between the American Commissioner and the Dominican Commission, the Military Governor and the Brigade Commander had formulated ideas as to the precautions that would have to be observed in meeting the physical and moral requirements of the Occupation. Had these officers inadvertently omitted to place important matters before the Commission prior to the final adjustment of all agreements,

the Military Government would have found itself in the embarrassing position of soliciting the aid of the American Minister, accredited to the Dominican Republic, or making overtures to the Provisional Government, when apparently that government had not been empowered to enter into agreements. Every possible contingency that might occur during the life of the Provisional Government was analyzed with the object of finding satisfactory solutions.

One of the first problems to be presented to the Dominican Commission was the subject of provost courts, and the continuance of their jurisdiction during the life of the Provisional Government. A system of provost courts had been instituted by the Military Government soon after the declaration of the Intervention, for the purpose of trying all civil offenders for violations of military law, executive orders and rules of the Military Government. Trials by these courts in most instances had included offenses for illegal possession of firearms, violations of the censorship rules, banditry and armed opposition. But with the installation of the Provisional Government, it was manifest that the Military Government could no longer exercise control over the possession and traffic of firearms, nor would the censorship laws be in anyway applicable. Banditry had ceased to exist prior to the installation of the new government.

Notwithstanding the lack of jurisdiction over certain classes of offenses, there were still plausible reasons for asking for the continuance of the provost court system until such time as the Constitutional Government had been installed. While the number of provost courts had been comparatively few after the cessation of banditry, the Military Governor believed that there would be a decided increase in the number of offenses against the Occupation, if the inhabitants knew that they were immune from trial by provost courts. Furthermore, it would be absurd to expect the civil courts of an occupied country, where even the ordinary processes of the civil law were slow, to press the prosecution of offenses against the members of the Occupation.

Other ominous possibilities might have had their inception in the failure to retain the provost court system for the trial of civil offenders against the Military Government. Aside from the practicability of persuading the civil courts to try these cases, the failure to prosecute offenses against members of the Occupation would have rapidly led to ill feeling on the part of the members of the Occupation towards the inhabitants. The situation would have been fraught with danger.

The issue was a vital one. Provost courts had been condemned and pronounced illegal on numerous occasions by the inhabitants. The Commission was at first strongly disinclined to accept the Military Governor's recommendations, but finally stated that if the forces of Occupation felt that in being deprived of the powers of provost courts they would not be protected against physical aggressions perpetrated against them or their appurtenances, the Commission would no longer persist in its objections. In the same reply the Commission could not forego the opportunity to artfully imply that regrettable conflicts might be provoked should the forces of Occupation in the absence of provost courts be inclined to punish, violently and arbitrarily, insults and assaults which the members thereof might individually sustain.

It was consequently agreed that the jurisdiction of the provost courts would be limited in the following manner:

"The sole class of cases over which the jurisdiction of the Provost Courts will extend, once the Provisional Government is installed and until the subsequent Constitutional Government is installed, with the consequent evacuation of the American forces of Occupation, will be such kinds of offenses as comprise defamation of character, verbal insults and physical assaults committed against the persons of the members of the Military Government, or against the persons of the members of the American Forces of Occupation; or such kinds of offenses as comprise theft of property belonging to the Military Government or to the American Forces of Occupation; or to the members of the Military Government or to the members of the American Forces of Occupation.

"In addition, there will be eliminated, in any event, from the jurisdiction of the Provost Courts, all members of the Executive, Legislative and Judicial Powers of the Provisional Government; all officials and employees of the Provisional Government; all members of the Constituent Assembly; and all members of the Clergy."

Along with the above agreement it seemed advisable though not essential to define the status of military offenders as to trial in order to avoid future misunderstanding, and to disabuse the Dominican Commission and the Provisional Government of any erroneous impressions they might entertain as to right of jurisdiction in these cases. The Commission stated that it recognized the Military Government's prerogatives to try by the military courts members of the forces of Occupation for all offenses regardless of their character. In other words, the forces of the Occupation would not be amenable to trial by the civil courts of the land for offenses committed against the inhabitants. Moreover, the exercise of this power was to suffer no interruption during the life of the Provisional Government irrespective of any change in the composition of the Dominican Commission or in the representation of the Government of the United States.

The Military Governor had not interposed objections to the restrictions placed upon the individual movements of members of the Occupation, particularly in those cases where the members of the forces were temporarily free from the immediate military control of the authorities. However, the Military Governor did not believe that the same restrictions as cited in individual cases should likewise pertain to the movements of collective organized groups of the Occupation, either within or outside of the concentration areas, when properly commanded.

The Military Governor, therefore, requested that in order to preserve the health and morale of the forces of Occupation and to permit the necessary interchange and transportation of personnel and material, that unrestricted access to all roads and trails be granted, as well as transportation by rail of such



men and material as might be desired. The Military Governor amended his request by agreeing to notify competent authorities of the Provisional Government of all movements of personnel prior to the actual movement.

No trouble was encountered in securing the Commission's consent to these movements, and a clause was formally incorporated in the detailed agreements granting free access to all roads, trails and railroads within the Republic. After the Provisional Government had been installed, movements of personnel whether for the purpose of training, transfer, or recreation were communicated to the Provisional President twenty-four hours prior to starting, specifying the hour of departure, destination and probable return.

The same arrangements had to be made for the subsequent use of numerous appurtenances of the Military Government, which might be classed as military necessities. In the eight years of intervention, the Military Government had established and maintained lines of communications and routes of supply and had acquired certain other accessories relative to the service of supply, that could not be surrendered until the military forces had been evacuated. Some of these accessories were Dominican property and it was only fitting that the Commission be consulted on the matter of their future use. The Commission, without preliminaries, accorded to the Military Government during the term of the Provisional Government free access to and use of wharves, docks and store houses, and access to the Dominican telegraph lines. The Military Government's system of telephone lines within the various concentration areas were also to be free from all interference or molestation from outside sources.

### **POLICIA NACIONAL DOMINICANA**

No other feature of the disoccupation plan received greater consideration, or was more discussed, or the subject of more varied and diversified opinion, than the Policia Nacional Dominicana. The institution and organization of a Policia was secondary only to the in-

stallation of the Provisional Government, and as a permanent establishment was even more important. In recalling the sad experiences of the Dominican people with armed revolutions and the internal and foreign complication resulting therefrom, there arose a strong feeling in many quarters that the destiny of the Dominican Republic might well rest on the organization of an efficient and loyal National Police force. Without the services of such a force it was highly problematical if any Constitutional Government, however strongly orga-

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### ***The institution and organization of a Policia was secondary ...***

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nized, could guarantee in an effective and positive manner the independence and sovereignty of the Republic.

The Policia was a function of the Military Government created by its orders, and organized, trained and employed under the direction of the Brigade Commander. Once the Policia was taken under discussion, the exercise of control of this force during the life of Provisional Government became the principal point in debate. The Military Governor's views were based on the strength, degree of training, and probable efficiency of the Policia and its ability to maintain peace and order under the direction of the Provisional President. The Dominican Commission's contentions as to control were founded partly on pride and ignorance of military requirements, but more on the inclination to alienate the Provisional Government from too close an official relationship with the Military Government.

The stand taken by the Commission as to the turnover of the Policia was well supported by the plan of evacuation, which explicitly specified "that from the date of the installation of the Provisional Government, peace and order will be maintained by the Dominican National Police under the orders of the Provisional Government, except in case

of serious disturbances, which in the opinion of the Provisional Government and the Military Governor, cannot be supported by the forces of the Dominican Police." The tenor of this clause left no room for argument, and removed without question all misapprehension as to unity of command or the division of control of the Policia forces. But, nevertheless, there were vital interests at stake which could not be lightly overlooked in the transfer of control of the Policia.

The first intimation of the Commission's real intention in regard to the Policia was received through the American Commissioner, who in a letter to the Military Governor, dated August 1, 1922, stated he realized, as did the Dominican leaders, that American officers serving in the Policia could not, once the Provisional Government was installed, take orders from that Government, and that his solution of the difficulty, which was acceptable to the Commission, would be as follows:

"That the Dominican officers of the Policia Nacional Dominicana now receiving training be sent at once into the Policia Nacional to commence work before the installation of the Provisional Government;

"That some arrangement, by concentration of authority or otherwise, be made, which will make it possible for all the American officers in the Policia Nacional Dominicana to be withdrawn upon the installation of the Provisional Government, and that from that time on, the Policia Nacional Dominicana be officered solely by Dominicans. In this way conflict of authority with regard to the Policia Nacional Dominicana will be avoided, the political leaders to agree to see that a sufficient number of suitable young Dominicans undertake a course of training immediately, under the Military Government, so that the number of Dominican officers may be constantly increased after the installation of the Provisional Government."

This meant the establishment of an officer's training camp, which it was implied would be under the sole jurisdiction of the Military Government after the Provisional Government was installed and that it would be left entire-

ly to the officers in charge of this camp to determine the fitness of the student officers to undertake their duties in the Policia. No mention was made as to the training of enlisted personnel. It was admitted that a considerable amount of efficiency would be lost by the adoption of this plan, and that Provisional Government would be confronted by an unsatisfactory situation, but that time did not permit of a better solution.

The Military Governor, with only altruistic motives in mind, pointed out in his reply the grave danger of making so instant and radical a change. He stated the Dominican leaders had rejected the Proclamation of June 14, 1921, which proposed the establishment of an American Military Mission, charged with the duty of securing the competent organization of a native constabulary force. After this offer had been rejected, the Military Governor, on February 21, 1922, further advised the Dominican leaders that he had been instructed by the United States Government to make a final concession relative to the Military Mission. This concession was to take the form of the omission of the military mission with the understanding that the United States would maintain a Legation Guard of United States Marines until such a time as the Government of the United States and the Dominican Government agreed that public order was adequately safeguarded by the Dominican Constabulary. This condition, of course, was to obtain after the Occupying forces had been withdrawn from the Republic, with the exception of the Legation Guard.

This offer was also refused, and led to the annulment of the Proclamation of June 14, 1921, and the announcement that the Military Government would continue to operate in accordance to the original Proclamation of November 29, 1916. The Military Governor had estimated that not less than two years from July 1, 1922, would be required to recruit and train an adequate Dominican military force. The task set within this time was to recruit the Policia to a strength of ninety officers and twelve hundred men, and to adequately train them in their military and civil duties. This comparatively small total was conditioned on the completion of the

main highways, which with the proper transportation facilities would make the Policia a highly mobile force. The Dominican leaders had been acquainted with the Military Governor's ideas to this effect, but had maintained an obdurate silence.

In a later reply, the Military Governor remarked that when the Agreement of June 30, 1922, had been approved, committing the United States to turn over the Policia to the Provisional Government, that it was assumed that the President of the United States had been informed or led to believe that the Policia was sufficiently organized and trained to maintain peace and order within the Republic, but such was not the case. At the time the Policia was under discussion the actual strength of the Policia was twenty-four native officers and about seven hundred enlisted men. Systemized methods of training were not started until January, 1922, when two training centers, one located at Jaina and the other at Santiago, were established. On August 15, 1922, the original six hundred men of the Policia had received a two months course of recruit training. Prior to this twenty of the twenty-four native officers had been given a four months' course of intensive training. About this same time, plans had been made to secure an additional sixty officers, ten from the enlisted force and fifty from civil life. On August 1, 1922, sixty had been found mentally and physically qualified for a probationary course, and on August 15 were organized into a class for military instruction at the Jaina training center. The Military Government had intended to give these cadets a practical and theoretical course of instruction covering one year and also during the last half of the year utilize their services as instructors for the enlisted men.

Such then was the status of the Policia, when the Commission requested the turnover as outlined. It will be readily seen that any radical change in command would completely disrupt the plans made by the Military Government, and upon which hung the future integrity of the Dominican Republic.

The Policia was in no position to recruit and train some ninety-officers

and twelve hundred men, let alone garrison the Dominican Republic, a mission which formerly called for the services of twenty-five hundred marines. Training at this critical period was of the utmost importance, and the facilities and means to attain a high state of military efficiency were not to be found within the Policia. Without the proper training the Policia was not capable of meeting the one requirement, namely, the ability to preserve peace and order (assuming all American officers were withdrawn from the organization).

The Military Governor offered the following solution, which is quoted in whole:

"From the date of the inauguration of the Provisional Government, peace and order will be maintained by the P. N. D., except in the case of serious disturbances which in the opinion of the Provisional President and the Military Governor cannot be suppressed by the forces of the P. N. D. From the date of the installation of the Provisional Government, and until the completion of six months training of the class of Dominican cadets, commencing on or about August 15, 1922, the P. N. D. will be officered by the present corps of Dominican officers supplemented by the necessary United States officers, and will be under the command of the Military Governor, who will make such disposition of the troops as is desired by the Provisional President and which the Provisional President may consider necessary to preserve peace and order. At the conclusion of the six months training and not later than February 23, 1923, all commissions of United States Marine and United States Navy medical officers in the P. N. D. will be vacated; all connection of the Military Government with the P. N. D. will be severed, and the P. N. D. will be turned over to the command of the Provisional President. The Provisional President will select and commission as of that date, and thereafter as necessary, such officers as he desires to make the quota of officers for the P. N. D. He shall agree that the enlisted strength of the P. N. D. during the life of the Provisional Government shall not exceed 1,200 men."

Shortly after the above proposal was submitted and before the Dominican Commission could reply thereto, the Military Governor stated, that he would desire to know from the Provisional Government what guarantees it could give to meet its engagement to maintain peace and order, since he was required to step in if the Provisional Government failed, and would employ United States troops after the failure had occurred. The Military Governor further stated, that should it become necessary to call on the Military Government to maintain peace and order, conditions might be such that bloodshed would ensue, both American and Dominican, and that failure to take every reasonable precaution to avoid such a contingency would be extremely discreditable to all concerned. Furthermore, that the United States could have no excuse for deliberately entering into an agreement which would make the maintenance of peace and order a conjectural proposition.

It is not known whether such a contingency as presented by the Military Governor had ever occurred to the members of the Dominican Commission, but it was sufficient to force them to immediate and definite action. While they were not willing to accept the proposal made by the Military Governor relative to the status of the Policia, under the Provisional Government, they submitted a counter proposal whereby the Military Government would continue to train both the officers and the enlisted men during the life of the Provisional Government, but with the reservation that the Provisional Government would have full control over all forces in the field. Although this plan presented the objectionable feature of creating dual command, the Military Government, having no desire to further delay proceedings, accepted. The following agreement was formulated:

“That the training of officers and recruits of the Policia Nacional Dominicana continue during the period of the Provisional Government in the present training centers at Santiago and Jaina, Santo Domingo, under the sole jurisdiction of the Military Government.”

When the above agreement was signed, the Military Governor directed

the Commandant of the Policia to prepare a plan which would provide for the division of the Policia into two forces, one to be known as the Field Force and the other as the Training Center Force. The plan was submitted to the Military Governor and the Brigade Commander, approved by them, and then taken up by the American Commissioner with the members of the Dominican Commission and voted on by them in detail.

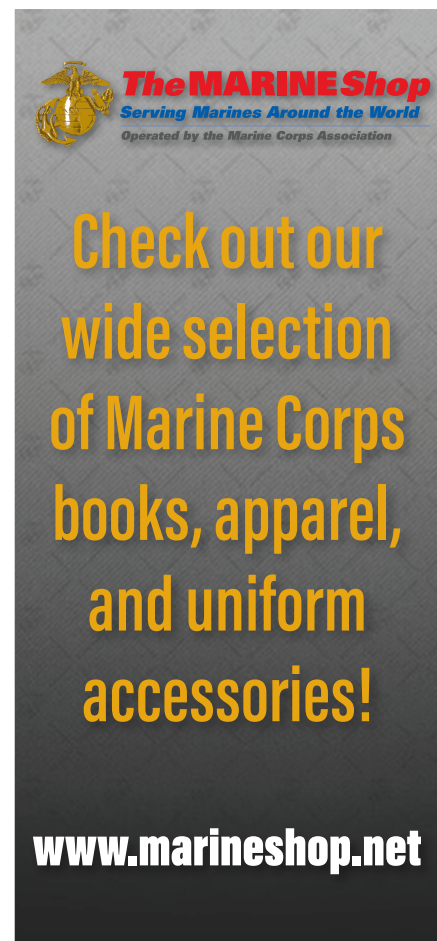
The plan besides reiterating that the Training Centers would operate directly under the Military Governor (including personnel, sites and material) further prescribed the number of native officers and enlisted men to be under training at one time; the number of American officers necessary to form an instructional staff; the method of commissioning American officers serving with the Training Centers; and the allotment of a separate budget for the maintenance and upkeep of the Centers. It was proposed that the Commandant of the Training Centers, under the Military Governor, was to have absolute control of the forces of the Policia employed in connection with the Training Centers as well as the personnel under instruction. Discipline was to be maintained by regulations issued by the Military Government and personnel of the Policia sentenced by courts-martial to discharge or confinement were to be turned over to the Field Force for the execution of the sentence.


To assure a regular flow of personnel to the Training Centers it was resolved that upon the completion of a period of training, the officers and the men of the Policia would be transferred to the Field Force for duty and a similar number would be returned from the Field Force for instruction.

The plan also provided for the joint functioning of the Training Center Force and the Field Force. Under the provisions of the plan it was decided to have as the normal strength of the forces on the Training Centers, one third of the entire strength of the Policia. The Field Force was to be commanded by a native officer acting directly under the Provisional Government, and would be employed in the maintenance of peace and order, and the enforcement of the

laws of the Republic. The Training Center Force was to be occupied exclusively in training, except that in case of the suppression of disturbances, actual or anticipated, which necessitated the services of a larger force than the Field Force could mobilize. In this case the Military Governor would direct, upon the request of the Provisional President, the temporary detachment of such part of the Training Center Force to the Field Force as might be required to suppress the disturbance. The Commandant of the Training Centers was to have no control over such detached forces until they were returned by the Commandant of the Field Forces. In order to adequately police the Republic and prevent any disorder at the voting polls such a disposition was made during the national election, on March 15, 1924.

At the time of the installation of the Provisional Government, October 21, 1922, there were actually in the Policia seventy-eight native officers and one



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thousand and four enlisted men, and at the end of the year the organization was fully recruited. Briefly the training of the Policia was considered under two phases. The first and most important one was to develop discipline, morale, self confidence, esprit de corps, and a thorough grounding in the primary drills, in order to permit the Policia to successfully handle the elections. This phase included the education of the general public to have confidence in the force, which had been sadly lacking in the past. The success of this training was probably best reflected during the national elections, which were held under the supervision of the Policia without a single case of disorder.

The second phase of the instruction began with the elections on March 15, 1924, and extended to July 12, 1924, when the Constitutional Government was inaugurated. During this period the training was continued, consolidating what had already been accomplished, and going further into the advanced work. Generally, the forces of the Policia spent at least three months out of nine at the Training Centers. The character of duty in the field, together with the fact that the Field Force was widely separated in detachments, resulted in deterioration in military efficiency and discipline, necessitating as much time as possible be spent at the Training Centers. It was a fixed rule not to draw in company organizations intact for training, but to select details made up from the twelve company organizations. Not only did this avoid wholesale relief, but also was the means of acquainting all the officers and men with each other and naturally tended towards homogeneity.

It might be worthy to note, as the Military Governor had predicted, that two years from July 1, 1922, would be required to recruit and train an adequate Dominican Police force. On July 12, 1924, when the Training Centers were turned over to the Constitutional Government the majority of the members of the Policia had acquired discipline, a pride in self and their organization, loyalty to country, and a keen perception of their duties as concerned the future. By their aptitude and eagerness

to learn and by their willingness to obey with good humor, they have won the lasting admiration of all American officers, who have witnessed their efforts and accomplishments. They only ask to be honestly led, and for the exclusion from their ranks of all extraneous and pernicious influences which must destroy their morale. Any failure of the organization, should it occur, will not come from within, but will emanate from sources over which the Policia will have no control.

Too much praise cannot be given to the Commandant of the Training Centers and his officers. Acting in conjunction with a far sighted policy they were able to discern the problems that lay ahead and apply the proper methods. It was not a question of teaching expertness in drill and in the use of the weapons, but the building up of an organization that would fill all the requirements of a National Constabulary Force whose loyalty would unquestionably be equal to any emergency.

Not all of this could have been possible had it not been for the unstinted support and cooperation that was given by the Provisional Government. Certain high officials of that Government displayed unusual interest in the development of the Policia and were never niggardly in rendering assistance.

Negotiations have been under way for several weeks looking to the retention of the Policia Training Centers under American supervision by the Constitutional Government, but no definite understanding has as yet been reached. From all intimations, the conditions to be proposed by the Dominican Government will not make it possible for any American officers to accept or continue a duty whose success is far from being assured.

## CONCLUSION

The detailed agreements entered into between the Military Government and the Dominican Commission were rigidly observed by the Occupation and the Provisional Government. There is not a single violation of any concession on record. All concessions that referred to the joint functioning of the Military Government and the Provisional Gov-

ernment were published to the forces of the Occupation for their information and guidance. An intimate knowledge of the status of both governments was indispensable, in order that everyone might act intelligently and without fear of exceeding their rights or privileges. Much must be ascribed to the cordial cooperation and friendly spirit that have at all times pervaded the relations between the Military Government and Provisional Government, and no less to the exemplary conduct of the personnel of the Occupation.

While the writer has refrained from drawing personalities into this article, he feels justified in mentioning the name of Mr. Vicini Burgos, ex-President of the Provisional Government, for it has been due to his disinterestedness and integrity that made the Plan of Evacuation a reality. His administration was remarkable for the absence of viciousness, partiality, and the waste of government funds; his office was a public trust, inviolable and irreproachable. He came into office without political affiliations or political promises and left without having compromised himself politically. He conducted himself without fear, being ever ready to bear the responsibility which devolved upon him, and by his efforts in cooperating with the Military Government in bringing about the National Elections and the Evacuation of the Republic has gained for himself a name which will long be remembered in Dominican history.

With dignity, without any disorder, and with an apparent access of friendly feeling for the forces of the Occupation, the elected President, Horacio Vasquez and the Vice-President Elect, Frederick Velasquez were inaugurated at 10:30 a.m., July 12, 1924. Where the Military Government had existed in name only during the life of the Provisional Government the Occupation was now completely dissolved and its forces became in every sense of the word friendly troops quartered in the territory of a foreign nation. An obligation now rested with the United States Government to withdraw her military forces as expeditiously as possible.

On June 5, 1924, instructions were received from the Secretary of the Navy

directing, in view of information received from the State Department that the Constitutional Government would be installed sometime between July 1 and July 10, 1924, that arrangements would be made as soon as possible to evacuate the forces of Occupation. A day later detailed instructions were received from the Major General Commandant, directing the organization of the 3rd Battalion, 6th Regiment, for duty at Guantanamo, Cuba; the reorganization of the Fourth Regiment with a strength of four-hundred and sixteen enlisted men for transfer to San Diego, California; the transfer of Observation Squadron (1) to San Diego, California; the organization of a West Coast Casual Company for transfer to the west coast of the United States, and the transfer of sixteen officers and nine enlisted men to First Brigade, Haiti. With the exception of the officers attached to the above units, and three officers ordered to the Virgin Islands, the remainder

of the personnel of the Brigade was to be transferred to the east coast of the United States.

By July 15, 1924, these units had been fully organized and waiting transfer to their new stations. On July 18, 1924, the 3rd Battalion, 6th Regiment, consisting of fifteen officers and three hundred and eight enlisted men were transferred to Guantanamo Bay, Cuba, and by this date there had been returned to the east coast of the United States seven hundred and eighty-two officers and men. Observation Squadron (1) will be transferred to San Diego on or about July 30, 1924, and the Fourth Regiment and West Coast Casual Company on August 8, 1924. Upon the completion of these transfers there will be remaining in the Republic two East Coast Casual Companies, one located at Puerto Plata, and the other at Santo Domingo City, consisting of approximately eighteen officers and one hundred and fifty enlisted men. These two companies are

composed of details concerned with the service of supply, transportation, pay and communication and will remain until about August 30, 1924, to settle the last affairs of the Occupation.

On November 29, 1916, a Military Government was proclaimed in the Dominican Republic. By the end of August 1924, the last of the forces of Occupation will have departed from the Republic. We came to a State rife with revolution, bankrupt, ungoverned and mismanaged. We have left a State enjoying peace, and with a loyal, well disciplined military force, with roads, schools, hospitals—in short with every promise for the future of a stable government.



## UPCOMING MCA&F EVENTS

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Guest Speaker: TBA

### **MCA&F 2016 Camp Lejeune & Wounded Warrior Leadership Awards Dinner**

Marston Pavilion, Camp Lejeune, NC  
Wednesday, April 6, 2016 - 1800 to 2100  
Guest Speaker: MajGen Walter L. Miller, Jr., USMC  
Commanding General, II Marine Expeditionary Force (Forward)

### **2016 MCA&F Ground Awards Dinner**

Crystal Gateway Marriott, Arlington, Virginia  
Thursday, May 5, 2016 - 1800 to 2100  
Guest Speaker: TBD

