

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
WASHINGTON.

November 28, 1913.

Hon. Arthur Yager,
Governor of Porto Rico,
San Juan, P.R.

My dear Governor:

You will recall Mr. Bird, of Fajardo, who, with Mr. Grief, called on the Secretary just before you left Washington.

Mr. Bird spoke to me of a little matter of which I had often thought: that is, the spelling of the name "Porto Rico."

This, of course, is the old English spelling. It is meaningless from the standpoint of any language. The Spanish name, as you know, was "Puerto Rico" which had a meaning and which was endeared to the Puertorriqueños as the name of their native land.

In the translation of the Treaty of Paris, or rather in the English copy of the Treaty, the spelling "Porto Rico" was used. Notwithstanding this, when the question was referred to the Board on Geographic names, that Board logically decided in favor of the proper spelling "Puerto Rico" and, under date of December 27, 1899, Secretary Root, in a War Department order, directed the adoption of that spelling and changed the name of the "Department of Porto Rico" to the "Department of Puerto Rico."

Later, however, on April 17, 1900, Secretary Root issued an order changing the spelling to "Porto Rico". This action was based on the fact that the Act approved April 12, 1900, providing for a civil government for Porto Rico had fixed this form of spelling the name. In other words, the official spelling of the name seems to

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be based on an Act of Congress and is not in accord with the original decision of the Board on Geographic names.

I write this simply to invite your attention to this with a view, if it meets your approval, of having the suggestion made at some proper time to revert in some appropriate Act of Congress to the old and proper spelling, "Puerto Rico." From what Mr. Bird said, I take it that this would appeal to the sentiment of Porto Ricans and it certainly would be justified on logical grounds.

Very sincerely,



Brigadier General, U.S. Army,
Chief of Bureau.

The Filson Historical Society

GOVERNMENT OF PORTO RICO
TREASURY DEPARTMENT
BUREAU OF MUNICIPAL FINANCE
SAN JUAN, PORTO RICO

ADDRESS ALL COMMUNICATIONS TO THE
TREASURER OF PORTO RICO

March 7, 1914.

PERSONAL.

My dear Governor Yager:

Section 3 of the proposed Organic Act introduced by Mr. Jones provides: "That no export duties shall be levied or collected on exports from Porto Rico, but taxes and assessments on property and license fees for franchises, privileges, and concessions may be imposed," etc.

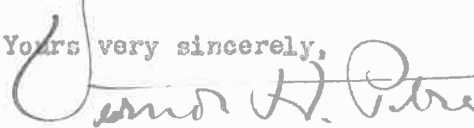
This would seem to preclude excise taxes, income taxes whether on net or gross earnings, taxes on premiums or earnings of insurance companies, and other taxes or assessments on the product or revenue of property, and would limit us to a general property tax and a license system, both of which Professor Seligman and other tax authorities condemn in advocating a tax on what a thing produces rather than on the thing itself.

Of course, this limitation may have been included purposely, and again the phrase "tax or assessment on property" may be held to mean "the product or revenue from property".

I note, incidentally, that there seems to be no provision that customs revenues shall be covered into the Treasury of Porto Rico.

Pardon my effrontery in commenting on what possibly has already been given mature consideration and for good reasons accepted.

Yours very sincerely,



Hon. Arthur Yager,
Governor of Porto Rico,
San Juan.

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OFFICE OF
MEDICAL OFFICER IN COMMAND

TREASURY DEPARTMENT

UNITED STATES
PUBLIC HEALTH SERVICE

San Juan, Porto Rico, March 9, 1914



The Honorable,

The Governor of Porto Rico,

San Juan, Porto Rico.

Sir:-

I have the honor to return herewith the copy of Senate bill 4604, which you loaned me with the request that I read it and comment on it as to matters affecting my Service in Porto Rico.

Referring to Sec.24, page 16, lines 15 to 18. I have reason to believe that this paragraph is being interpreted to include the maritime quarantine service now operated by the U. S. Public Health Service. As such quarantine is a function of the Federal Government in the United States and other possessions of the United States, either by actual operation or supervision, I have no idea that such was the intention of the framers of the bill, but to avoid the possibility of such construction being placed upon it, I respectfully suggest that it could be made more specific.

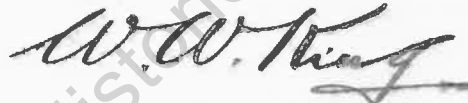
Referring to Sec.45, page 31, lines 1 to 8. I have to call attention to the fact that medical inspection of all immigrants is, by act of Congress, a function of the

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U. S. Public Health Service, and under the above mentioned section would continue to be so. This section however puts the execution of such inspection into the hands of officials of Porto Rico, appointed by the Governor of Porto Rico, hence it would necessitate the appointment, by the Governor, of officers of this Service as officials of Porto Rico.

The question may be raised as to the legality of officers of this Service accepting such appointment. Furthermore it may open the possibility of conflict of authority, hence I respectfully suggest that a specific exception be made as to this point.

Respectfully,



Surgeon, Chief Quarantine Officer.

WWK/CVFD.

GOVERNMENT OF PORTO RICO
DEPARTMENT OF
LABOR, CHARITIES, AND CORRECTION
BUREAU OF LABOR
SAN JUAN

ADDRESS ALL OFFICIAL
COMMUNICATIONS
TO THE
CHIEF, BUREAU OF LABOR
SAN JUAN, P. R.

March 9, 1914.

The Honorable

The Governor of Porto Rico,
San Juan, P.R.

S i r :

Lines 12-20, page 4 of the proposed new Organic
Act read as follows:-

"That the right of action to recover damages
for injuries resulting in death shall never be
abrogated, and the amount recoverable shall not
be subject to any statutory limitation."

This paragraph seems to be in conflict with certain provisions of the Workmen's Compensation Act as prepared, in accordance with a Joint Resolution of last year by a Commission, and presented in the House of Delegates by Sr. José de Diego, Chairman of the Commission. This compensation act is similar to those existing in New York, New Jersey, Michigan, Wisconsin, Washington, etc. The act provides a maximum and a minimum that may be obtained by an injured workman or his heirs in case of (a) death, (b) total incapacity, and (c) partial incapacity. Cases of total and partial incapacity would not be effected by the above mentioned provisions of the new Organic Act; but when a laborer receives injuries

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Hon. Governor of P. R. (-2-) --- 3-9-14.

which cause his death his dependent heirs are, under this provision, obliged to hire a lawyer and proceed at law. The old common law defences of (a) assumption of risk, (b) contributory negligence, and (c) fellow servant are so enforced by the courts here that the dependents rarely obtain any damages. Furthermore, the usual fee to the lawyer in such cases is 50 per cent. This section in the new Organic Act will tend to make business for lawyers in such cases and to defeat the obtaining of adequate compensation by the dependents of injured laborers.

The Federal Government has a compensation act applying to railroads engaged in interstate commerce, which provides for limitations on the amounts recoverable by the heirs of injured workmen.

In compliance with your request, I have examined the Olmstead and Jones Bills and the hearings, speeches, etc. connected with them. The above mentioned paragraph is included in exactly the same words in both of these bills. It was not a part of the Olmstead Bill dated January 29, 1910, nor of that dated April 12, 1910, but was inserted in the copy of that bill dated June 16, 1910, together with the paragraphs providing for an eight-hour day on public work and prohibiting the work of children under 14 years of age in certain occupations. This section seems to have been the last provision of the "Bill of Rights" inserted in these bills. In his speech in favor of his bill, Mr. Olmstead said:-

"Bill of Rights".

"We have in our Federal Constitution many important declarations of rights. There are similar declarations in the Constitutions of the respective states of the Union. Porto Rico has no constitution except such as may be provided by Congress. This is to be the organic act--in a sense the constitution--for the government of that island. Therefore, we believe it to be of great importance to them and of inestimable value that we extend to them in a substantial manner these rights secured to us by our own constitution, state and federal. We have, therefore, in the second section of this bill, declared in their favor the liberties and rights to secure which to themselves and their descendants our fathers fought and we steadfastly strive to maintain. No man who reads the "Bill of Rights" section can fail to appreciate its importance to the people of Porto Rico.

"It protects them against deprivation of life, liberty, or property without due process of law, and assures to each and every of them the equal protection of the laws; etc., etc. (mentioning the rights secured by the various paragraphs); it requires uniformity of taxation; it makes the people of Porto Rico as secure in property, in life, in liberty and in the pursuit of happiness as any people on earth."

Nothing in the speech refers directly to the particular section which is in conflict with a compensation act and I was unable to find any reference to this section in any of the hearings upon the Bill. This paragraph, like the others in the "Bill of Rights", was intended to secure the rights of the masses. It would seem, however, that, in order to achieve the results which the author of the bill intended, it ought not to apply to cases of injuries resulting in death which are adequately provided for under a compensation act.

It is possible that this section may have been introduced at the request of the labor organizations of this Island. In 1902 an Employers' Liability Act was passed which limited the

Hon. Governor of P. R., (-4-) --- 3-9-14.

amount of damages that might be recovered in case of death of an employee to \$3,000. This law was most unfair and so long as such a limitation on the rights of injured workmen existed, Mr. Olmstead's provision was very essential. Therefore, if this paragraph was inserted in Mr. Olmstead's bill to counteract the limitation in the Insular law of 1902, that paragraph is no longer necessary, since the limitation has been removed, and if the Insular Legislature passes a proper compensation law at this session, the rights of laborers under this law ought not to be defeated by the new Organic Act.

Respectfully,

J. C. Bills Jr.
Chief, Bureau of Labor.

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STATEMENT SHOWING SALARIES PROVIDED FOR BY THE FORAKER ACT AND OTHER LAWS AT PRESENT IN FORCE IN PORTO RICO, AS COMPARED WITH SALARIES FIXED BY THE PROPOSED NEW ORGANIC ACT.

	Present Law	New Law	Increase	Decrease
EXECUTIVE:				
Governor	\$ 8,000	\$ 12,000	\$ 4,000	\$ --
Secretary (Executive Secretary)	4,000	4,000	--	--
Attorney General	4,000	7,500	3,500	--
Treasurer	5,000	7,500	2,500	--
Auditor	4,000	7,500	3,500	--
Comm. of Interior	4,000	7,500	3,500	--
Comm. of Education	4,000	7,500	3,500	--
Dir. of Labor, Ch. & Corr. (Dir. of Agr. & Labor)	4,000	7,500	3,500	--
4 Members of Executive Council at \$3,000 each	12,000	--	--	12,000
Director of Sanitation (Director of Health)	6,000	7,500	1,500	--
Total	\$ 55,000	\$ 68,500	\$23,500	\$12,000
JUDICIARY:				
Chief Justice, Supreme Court	\$ 5,000	\$ 7,500	\$ 2,500	\$ --
4 Associate Justices	18,000	26,000	8,000	--
FEDERAL COURT	46,000	--	--	46,000
Total	\$ 69,000	\$ 33,500	\$10,500	\$46,000
Grand Total	\$124,000	\$102,000	\$36,000*	\$58,000*

*Showing a total SAVING under the proposed new organic act of \$22,000.

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FORAKER ACT AND OTHER LAWS AT PRESENT IN FORCE
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