

Mss.

A War Department.

Y13 Correspondence, 10 Dec. 1913 -

75 17 May 1921.

The Filson Historical Society

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
WASHINGTON.

December 10, 1913.

Personal and Confidential.

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

My dear Governor:

I have your letter of November 29th.

I have heard nothing here but favorable comment on your inaugural address. I have submitted a copy of it to the Secretary, who has been so busy with hearings before Congress that, while he has probably read it in the evening, I have been unable to talk to him about it.

He has in mind the preparation of a statement to be transmitted to you, but the statement has not yet been prepared. This would be, if his present idea is carried out, a somewhat definite statement of the policy with reference to Porto Rico.

The question of modification of the organic act has been discussed so much that it is undoubtedly necessary to peace that a new organic act be passed. Personally, I believe that the present organic act was, considering all the circumstances and the haste of its preparation, an excellent one. It has given Porto Rico a fairly good government for a number of years, but Mr. Dickinson, after his visit to Porto Rico in 1910, recommended a new act and the bill recommended by him, with certain modifications, passed the House of Representatives, but failed in the Senate.

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Later Mr. Jones, the Chairman of the Committee on Insular Affairs, introduced a bill which was, in effect, a new organic act for Porto Rico. In studying, therefore, the recommendations, we have:

First, the bill recommended by Mr. Dickinson;

Second, this bill as it passed the House in 1910 known generally as the "Olmsted Bill" from the fact that Mr. Olmsted was Chairman of the Committee on Insular Affairs at the time;

Third, Mr. Jones' bill introduced by him on May 29, 1912.

We have, therefore, three concrete efforts to provide a new organic act with which to supplement recommendations, which have been numerous, and our own territorial laws.

I have gone over these various efforts and other laws which might be of assistance and I am sending you, confidentially, the memorandum which I prepared for the Secretary of War submitting to him the first draft of a proposed new organic act. This has not received the attention as yet of the Secretary of War at all and in transmitting it to you, of course, I can not commit him to any feature thereof.

At the time it was submitted to the Secretary of War there was omitted from it the sections which were intended to cover the placing of the customs service, the postal service, and the immigration service, and related services, under the government of Porto Rico. I have had this section in mind and have made one or two efforts at getting it in proper shape, but it is not yet in definite form. In fact, I did not get at it with the definiteness I should have had the idea received the approval of the Secretary.

I also contemplated putting in a section, following the present law in the Philippine Islands, to the effect that the heads of the executive

departments perform their duties under the general supervision of the Governor. I believe that such a section is very essential, and that leaving this matter to be regulated by assimilation with other governments rather than by a specific prescription leads to unnecessary friction. A government without a head does not appeal to me and I think the written law should make the existence of a head clear.

I am inclosing you also a later memorandum to the Secretary from which you will see that I have come to the view that we might lessen the number of members of the Executive Council to be appointed by the President and increase the number to be appointed by the Governor. In this I am not sure but that I am making a mistake. The change would certainly throw a much heavier obligation on the Governor and on those members of the Executive Council appointed by the President. It is yielding to the "home rule" sentiment everything which I believe could be yielded, and the result represents the minimum which I believe should be held in the hands of the President.

The second memorandum has not as yet been submitted to the Secretary, but I am awaiting my first opportunity to see him to submit it.

It has occurred to me that this matter might be of some assistance to you. My own opinion is that, if we are to get anything through at this session of Congress, we must have it introduced in the near future, and it is for this reason that I send you this matter, even before having it approved by the Secretary, as well as for the fact that I know that he would not give definite approval of anything without first hearing from you.

With kind regards, I am,

Very sincerely,

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

Incls: 18-page memo. of
June 9 with proposed bill;
Memo. of December 8.

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
WASHINGTON.

August 7, 1914.

CONFIDENTIAL.

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

My dear Governor:

Your recommendations were submitted to the Secretary of War. At the same time, I told him that Mr. Muñoz seemed to have received knowledge of the recommendations, in that he came to the office just before your letter arrived.

Confidentially, Mr. Muñoz is strongly opposed to the appointment of Mr. Domenech. He advocates the appointment of Mr. Jiménez, formerly assistant to the Commissioner of the Interior, and, as a second choice, Mr. Rivera, ^(Manuel Rivera Ferrer) who is now an employee of that department.

He says that Mr. Domenech represents the minority wing of the Republican party; that he is more strongly opposed by "the old guard", or the followers of Dr. Barbosa, than he is by the Unionist party; that his appointment now before elections would mean that the great patronage of the public works department would be given to one opposed to the majority in Porto Rico. And he objects to him further on the ground that we are now advocating a bill providing for the confirmation of such appointees by the Porto Rican senate, whereas Mr. Domenech would not only not be confirmed by such a body, but would not receive a single vote in any senate that could be elected in Porto Rico. In fact, he would rather have an American from the States appointed than Mr. Domenech, while he is very

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strongly opposed to the appointment of an American.

All of this is coupled with a statement by Mr. Muñoz that Mr. Domenech is a competent man and a man of good character who stands well in all the ordinary relations of life. His objection to him is purely on political grounds.

I am advising you of this for your confidential information. It may be that Mr. Muñoz has had his views put before you directly. I do not know. He indicated that he thought the appointment of Mr. Domenech would weaken the Governor with the House of Delegates, the good-will of which was so necessary to a successful administration in Porto Rico.

I but briefly outlined the foregoing to the Secretary of War, when he told me that it would be impossible to take the matter up at this time. In fact, he barely asked me what I thought of the matter. I told him that invariably I advocated, if an appointment was to be made from Porto Rico, that it should be made on the recommendation of the Governor and in no case did I ever go beyond the suggestion, where a candidate was apparently objectionable, advising the Governor of our reasons for believing that he was objectionable.

In this case I simply wish to advise you of Mr. Muñoz's views. The appointment will not be made ^{until} you receive this letter and I would ask, if you adhere to your recommendation, that you cable to that effect on its receipt.

Mr. Muñoz's final statement was that unless another selection could be made, he hoped that no appointment would be made until after the next election.

This letter is absolutely confidential.

Very sincerely,

Frank M. Lutz

P.F.

THREE REGIMENTS NOW FULLY FORMED

Promoted Officers Arrive
From Panama Just In Time
To Take Command

**COL. CHRISTIAN
MADE BRIGADIER**

*Colonels Field and Wood
Assume Control of 374th
and 375th Regiments*

The officers of the Porto Rico Regiment promoted to the National Army for service with the three new infantry regiments that have just been formed at Camp Las Casas arrived yesterday by the Spanish mail boat, coming from Panama via Havana. Some of them left the boat at Ponce on the previous day and came overland from there. Lieut. Colonel Taulbee and some of the younger officers arriving from the north about the same time, the officers promoted for service with the new regiments are now all here and at work, with the exception of Lieut. Colonel Griffith and Majors Theofilo Marxuach and Adolfo de Hostos. The promotions were as follows:

Colonel Townshend, assigned for duty with the first regiment organized from draft troops at Las Casas known as the 373rd.

Colonel John M. Field, promoted from Major, will have command of the 374th regiment.

Colonel Frank C. Wood has been promoted from the rank of Major to be placed in Command of the 375th.

To be Lieutenant Colonels:

Miles K. Taulbee, promoted from Major.

William S. Woodruff, promoted from Major.

Samuel S. Bryant, promoted from Captain.

Edwin J. Griffith, promoted from Major.

Promoted to the rank of Major:

James Nadal,	formerly Captain.
James Nadal,	formerly Captain.
Eduardo Iriarte,	" "
Henry C. Rexach,	" "
Felix Emmanuelli,	" "
Luis Emmanuelli,	" "
Pascual Lopez,	" "
Daniel Rodriguez,	" "
Leopoldo Mercader,	" "
Pedro J. Parra,	" "
Teofilo Marxuach,	" "
Adolfo de Hostos	" "

Colonel Christian, who was placed in command of the Porto Rico Regiment since it left here for Panama, has been promoted to the rank of Brigadier General, and it is understood, is expected to arrive in San Juan very soon to command at Las Casas. General Christian has never been in Porto Rico.

When the cantonment is extended to a divisional camp, as is expected, there will be a Major General in command, and two additional Brigadiers, promoted, it is hoped, from the officers at present in command of troops at camp.

It is understood that there are enough recruits now in camp at Las Casas to form the three Regiments on a war footing. The additional troops coming in will be formed into provisional companies, which will be the basis of new regiments to be formed when the second draft men are called to the colors.

Of the new Lieutenant Colonels, Taulbee has been assigned to the 373rd. Regiment, Woodruff to the 374th and Bryant to the 375th.

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July 22, 1918.

My dear Mr. Secretary:

I have been informed by the Chief Justice of the Supreme Court of Porto Rico, Hon. José C. Hernández, that his son Pedro Hernández, 1st Lt. Porto Rico Regt. of Infantry, has gotten into trouble with his commanding officers at Panama.

I am informed also that Lt. Hernández has been tried by Court Martial upon very serious charges and that the papers in the case have been forwarded to Washington and will soon come before you and the President for review of the judgment of the Court.

Of course I do not know what this judgment is, but I fear that it may involve dismissal from the service.

I have comparatively little acquaintance with the young lieutenant himself, but I have the fullest knowledge of the character and standing of his father the Chief Justice and all of his family in general.

Judge Hernández is one of the most distinguished and honored of the citizens of Porto Rico, and this is due not only to his official position as Chief Justice of the Island but to his long record of honorable service and to his personal character as a man and a judge.

If it is consistent with your duty to the Army, I sincerely hope that you may find some way to mitigate the severity of the penalties that may be imposed upon the young lieutenant. The blow to the father and the family must necessarily in any case be very severe; but I trust that there may be found some mitigating circumstances or some way of so tempering justice with mercy that the extreme penalty of dismissal from the service may not have to be administered.

With the highest personal consideration, I am

Very respectfully yours,

Governor.

Hon. Newton D. Baker,
Secretary of War,
Washington, D. C.

1913

P. A.

June 5, 8

General Frank McIntyre,
Chief of the Bureau of Insular Affairs,
War Department,
Washington, D. C.

My dear General McIntyre:

I am writing this letter to you under painful impressions caused by very unpleasant news which I have received from the Canal Zone about the conduct of my son Pedro, a first lieutenant in the Porto Rico Regiment. The news to which I refer are contained in a personal letter received from the Canal Zone by a very good friend of mine in Porto Rico and the paragraphs relative to this affair are as follows:

"I feel that I ought to write you and let you know what has happened to our friend Hernández. As I warned you some time ago, his vicious manner of living has gotten him into serious trouble. He contracted marriage with a cabaret dancing girl, before the civil authority, two weeks ago. This was the end of a spectacular spree, on which he had entered after receiving notice that he was relieved from special duty at Balboa, and should return to his regiment. The marriage is bad enough, for these cabaret dancers are not the kind that the Hernández or any other family would care to receive as daughters-in-law, but the worst thing is that Pedro is under arrest, and the Colonel has designated an officer to prepare charges against him. There is apparently no hope at this end; he will inevitably be sentenced to be dismissed. The papers will then go through the War Department, to the President for final action. Of course, something might be done with the proper influence, to save the family this terrible humiliation. From the service papers I have seen that the President has often mitigated sentences of dismissal

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since the war opened, and he might be prevailed upon to be merciful, for, though Pedro has been worse than a fool, and richly deserves to be ignominiously expelled, still his conduct does not involve dishonesty nor disobedience to superiors, offences that are never condoned in war time.

"I think it well to let you know this in time, that the Judge may be prepared for whatever action he may feel strong enough to take. The charges have not been preferred yet; that they are preparing only. They must then be sent to Washington, and from there action on them will be directed by cable. It may be some months yet before he comes to trial. I am sorry that I cannot write you something more pleasant; I hope sometime to be able to do so."

According to said letter he got married unexpectedly to a cabaret dancing girl, which act is a chagrin upon all my family and specially upon me by reason of the high position which I hold of Chief Justice of the Supreme Court of Porto Rico. But the marriage in itself humiliating as it is does not break my heart as much as the fact that he is under arrest and liable to be submitted to a court martial by reason of scandalous conduct committed under the influence of liquor.

I felt very proud, my dear General, of having a son in the American army at this moment when the world war is going on and he could fight for the American flag thus cooperating to the victory of the high principles of liberty, democracy and justice which have lead the american nation into this war, and my suffering now is very great when I think of the pos-

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sibility that my son may not take his place of honor with his regiment. I take the liberty of writing this letter to you because on account of your knowledge and experience with military affairs and by reason of your friendship towards me you may give to me a sound and good advice as to the best way for me to act in order to do all that I can to help my son Pedro.

I have been forty-four years in the administration of justice in Cuba, Philippines and Porto Rico and I am about to reach seventy years of age. Inasmuch as I cannot invoke the merits of my son I invoke my own, praying that the honor of my name be freed from a stigma placed by a sentence which might involve the dismissal of my son from the glorious American army.

My dear General, I ask for clemency of my son Pedro and I will be forever grateful to you for anything that you might do to mitigate my sufferings as a father within the rigid military laws.

The honor of my son is the honor of my name, although his life is not my life.

I am, very cordially yours,

SUPREME COURT OF PORTO RICO
JOSÉ C. HERNÁNDEZ
CHIEF JUSTICE
SAN JUAN, P. R.

(Personal)

San Juan, P. R., July 19, 1918

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

My dear Governor Yager:

In accordance with the interview had with you this morning by my son José, I beg to enclose herewith a copy of the letter which I received from the Commanding Officer of the Porto Rico Regiment in Panama, dated June 29, 1918. According to latest information received the papers of the case of my son Pedro are in Washington. Will you please, my dear Governor, do all you can to mitigate my sufferings as a father in these trial days of my life? Your kind suggestion that you will write a letter to the Secretary of War has been gratefully received by me and I hope that you will write a very strong letter to the Secretary of War. Perhaps your letter will reach him in time to save me the disgrace of a judgment of dismissal against my son from the glorious American army.

Sincerely yours,



Camp E. S. Otis,
Las Cascades, C. Z., June 29, 1918.

The Honorable José C. Hernández,
The Chief Justice of the Supreme Court,
San Juan, Porto Rico.

Most Esteemed Sir:

Your favor of June 5 reached me today and in compliance with your request I regret exceedingly to inform you that Lieutenant Hernández was brought before a General Court Martial in the latter part of the month of May for trial on serious charges alleging financial irregularities (involving about \$225.00), unbecoming conduct and false official statement to a superior officer. A part of his conduct appeared to indicate the intemperate use of liquor on his part.

The findings of the Court Martial have not been published and Lieutenant Hernández is still in arrest pending final action of the superior authorities on the proceedings in the case.

I am extremely sorry, sir, to be unable to give you a more favorable reply.

Lieutenant Hernández was married as I remember it on or about April 30. We knew nothing about it beforehand.

It is currently reported that his wife sang in cabaret in the City of Panama prior to the marriage. For this I cannot vouch, personally. She is now living with your son in this camp. They do not participate in the social life but so far as my knowledge extends, they appear to be very happy in their married life.

Whatever may be the ultimate results on your son's status in the Army or elsewhere, permit me to say that I sincerely trust that he will be able to satisfactorily explain all these matters to you personally, sir, and continue to hold the full respect, confidence and love of his honored father, whose counsel, encouragement and support will be of such paramount importance to him in the future.

Most sincerely and respectfully yours,

(Signed) Ed. R. Chrisman,

(Colonel of the Regiment.)

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
WASHINGTON.

January 20, 1919.

My dear Governor:

This will be presented to you by Mr. W. S. Flitcraft,
City Editor of the New York Globe, who is making a visit to
Porto Rico.

Mr. Flitcraft is vouched to me by the Washington Cor-
respondent of the New York Globe, an old friend of mine for
many years.

Any courtesy which you may extend to Mr. Flitcraft will
be very much appreciated.

I am,

Very sincerely,

Frank M. Lutz

Honorable Arthur Yager,
Governor of Porto Rico.

CONFIDENTIAL.

August 11, 1919.

My dear General:

Doubtless you will remember the various conversations, conferences and arrangements with reference to the matter of Mr. Kern, and the future policy of the appointment of the Attorney General of Porto Rico, which I had, or which I celebrated, as we say in Spanish, when in Washington last winter. I made a sort of tentative agreement with the Resident Commissioner, Judge Córdova Dávila, the results of which I reported to you, and also to the Secretary of War. There were various angles to this arrangement, and up to the present it has been faithfully carried out, both in letter and in spirit.

The time has come now for me to put into effect the most important part of the whole arrangement, because a new Attorney General of Porto Rico should be appointed in time for him to take up his office from September 1st.

I desire to recommend therefore, to the Secretary of War for nomination by the President, as Attorney General of Porto Rico, Mr. Jaime Sifre, Jr., of San Juan, Porto Rico. Mr. Sifre was connected in various positions with the Attorney General's Office for nine years, resigning the position of Fiscal At Large only a few months ago in order to go into private practice of law.

He was selected as the local representative of

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the firm of Armstrong & Keith, lawyers of New York, and has been offered a partnership in that firm. He is a young man only 32 years of age, but his admirable character, indefatigable industry and thorough knowledge of the American law as well as of the Department of Justice render him entirely competent to perform in a satisfactory manner the duties of the position.

Mr. Sifre's well-known independence in all matters of politics will render his appointment somewhat less satisfactory to the political men of Porto Rico, but there can be no question but that it will prove eminently gratifying to the Porto Rican people at large, and will be received as a gracious concession on the part of the National Government to the spirit of home rule.

Mr. Sifre has agreed to accept the appointment, and I would appreciate it if you and the Secretary of War could give this matter prompt attention and secure the nomination by the President and confirmation by the Senate at the earliest possible moment.

Very sincerely yours.

Governor.

Brig. Gen. Chas. C. Walcott, Jr., U.S.A.,

Chief, Bureau of Insular Affairs,

War Department, Washington, D.C.

CONFIDENTIAL.

August 16, 1919.

My dear General:

I have received your cablegram with reference to the annual report. I have arranged my own plans to begin work at once on the annual report. If I had the material all in hand I could have it finished early in September. I have done my best to get the reports by this time, but the trouble is this: our Legislature, as you know, held on its regular session until July 5th, after the end of the fiscal year and left all of the departments accumulations of work and some confusion as to legislation and delayed appropriations, so that the work in all departments was thrown back in arrears, and I have not been able as yet to get the reports from departments except that of the Attorney General, which Mr. Kern finished before he left, and also that of the Police Department, just sent to me yesterday. I have hurried all of them to the utmost, and I hope to have at least most of the reports this coming week. Moreover, one of the most important matters in the report is that of external commerce, and all of the statistics and data upon this subject are compiled and sent down from the Bureau of Foreign and Domestic Commerce at Washington. They do not permit the local collector's office to maintain any statistical

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department or to furnish these figures, and up to date not a thing has been done, so I have none of the material necessary to make a beginning even of this very important part of the annual report. I wish you would communicate with this bureau and see if you can not expedite their sending to the collector's office here the necessary figures for the external trade of Porto Rico for the fiscal year ending June 30, 1919.

I am going to begin with what material I have, and I shall press up the departments as rapidly as possible, but even after all that is done I do not see how I can go on with the commerce statistics that must come from Washington.

I have both cabled and written you a recommendation to the Secretary of War covering the appointment of Mr. Jaime Stfre, Sr., as Attorney General of Porto Rico. It would be very convenient to get this matter settled and done with as promptly as possible. The political men here are very much interested and stirred up over this matter, and there are many rumors floating as to what the Porto Rican lawyers and politicians are doing or going to do at Washington.

It is stated here that Mr. Barcelo publicly announced that he was going to Washington to ask for immediate independence for Porto Rico, and that Judge Córdova will probably join with him in this request and attempt to show that there is a great demand for independence in Porto Rico.

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I myself do not believe that either one of these gentlemen will do any such thing. I know that there is no wide spread interest in the subject here. I hope that the officials at Washington generally will express themselves frankly on this subject insofar as they say anything at all so that everybody here will be encouraged to get busy on the real problems of the Island.

If you and General McIntyre and the Secretary of War could all have a plain frank talk with Mr. Barco and Judge Córdoba, upon this subject, it would be very helpful in my judgment, and if you could ask Judge Turner of the Committee, and Chairman Hill and Mr. Kenyon of the Senate Committee, to do the same thing, I think that would be helpful. I assure you that there is nothing in the facts to warrant any other course. The majority of the Unionist Party here, is I am sure, conservative on this question. The Republican Party here, and the Socialist Party, are wholly opposed to any independence propaganda, and all of the Americans, Spaniards and other elements not attached to any of the parties are of the same opinion. There is only a small and noisy minority composed chiefly of "politicos", who desire even to discuss the question. There is no need of bothering with them. I think we should all tell them the truth. After you have seen them and heard them I would appreciate it if you would write me the general results. Moreover, all this is merely a suggestion, and

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I am confident that you and General McIntyre will know how to manage the matter much better perhaps than I can tell you.

The General Goethals has gotten in and is planning to sail this afternoon for New York. Colonel Jarvis and I have been able to allow under your instructions and authorization only a very few persons transportation of the large number of the various classes who desire to get away and who can not get passage on the regular boats within the next two months. In fact, I think the transport will sail with several vacant cabins for first class passage, but we have done the best we could and while I think there are many cases of real emergency that ought to have been provided for, nevertheless Colonel Jarvis thinks that both the law and the regulations forbid. If this is true some change should be made in one or both because the conditions of travel in Porto Rico have greatly changed since these regulations were established. A few years ago there were always some vacant rooms on the regular boats. Moreover, both lines of boats allowed twenty per cent reduction from the regular fares at that time to employees of the Insular Government. The New York and Porto Rico S. S. Co., at least, several years ago cancelled this reduction of rates privilege and this year they have been crowded far beyond their capacity. There is now no reason why the same rule should not be applied to Porto Rico as it is applied to the Philippine Islands and Hawaii. But, of course in this mat-

ter as always we submit to the inevitable and do the best we can.

I am greatly disappointed at the result of the opening of the bids for the harbor dredging. Of course as you know, I anticipated it because of the conditions under which the bidding had to be made. I hope now that some arrangement can be made for doing this dredging immediately by administration, that is under the management of the War Department. If a dredge can be obtained I am sure it can be done much cheaper than any of the bids and also more promptly and more satisfactorily to all parties concerned. I wish you would have a conference with the Board of Engineers upon this phase of the subject and let me know as soon as convenient the results.

Your cablegram from the Bureau of Foreign and Domestic Commerce was duly received, but neither one of the reports which they stated had been sent has ever been received by the collector in San Juan, unless something arrived on the Coamo that came in this morning. I will ascertain in an hour or so whether anything came. I am pushing work on the annual report to the utmost of my ability.

No further news at present.

Very sincerely yours,

Governor.

CONFIDENTIAL.

October 3, 1919.

My dear General:

Your confidential letter of the 23d ultimo, has been received, and very carefully read.

If I could succeed in making it plain that I have no personal interest whatever in the "movement in favor of a larger participation in the Porto Rican Government of native Porto Ricans, extending from the office of Governor down", I would like to give my candid and honest opinion. That latter matter should be postponed for sometime to come. Porto Rico does not now need any more participation in their own government than they already have, in fact I do not think the people generally really want any more. The "politicos", of course, would like to have a few more jobs, but the material from which to select the holders of these jobs here on the island is exceedingly limited. Of course they do not think so, but nevertheless it is true. In my summary of the twenty years progress, I had in the first draft, the following sentence: "In the matter of local self-government the progress already made has been so great that Porto Rico is now more democratic local self-government than any other Latin-American country north of the equator." This is indisputably true.

I conceded the position of the Attorney General because, as it happens, I had one really good safe man to

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recommend. I do not think there is another at this moment; Mestre would not do. Mr. Barcelo, and the other Unionist leaders, do not really want a Porto Rican Governor. They can not agree on the man. Of this I am perfectly sure. Personally I have no interest in the matter; I have been here long enough, but for the good of the island I would earnestly recommend that no further steps along this line should be taken at present, or for some years to come, especially as to the matter of the Commissioner of Education. Mr. Miller should be reappointed when his term expires, which I think is next January, and I shall so recommend. I have not the time to go into this matter further now, but I am planning to come to Washington sometime, soon after the Christmas holidays, and I hope then to discuss the situation fully with all those interested in this matter, provided of course they want my advice. Meanwhile push forward the nomination and confirmation of Mr. Sifre for Attorney General, just as rapidly as possible. I sincerely hope the President has by this time recovered his health and strength.

Sincerely yours,

Governor.

Brig. Gen. Chas. C. Walcutt, Jr., U.S.A.,
Chief, Bureau of Insular Affairs,
War Department, Washington, D.C.

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
WASHINGTON.

In reply refer to

B. I. A. No.

September 23, 1919.

CONFIDENTIAL.

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

My dear Governor:

I have your letter of August 16th.

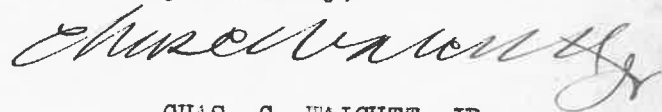
Referring especially to that part of it devoted to the independence propaganda, I have been unable to find that there is any such action in this country or that any effort is being made to bring about independence.

There does seem, however, to be a movement in favor of a larger participation in the Porto Rican Government of native Porto Ricans, extending from the office of Governor down." I can not make out just how much favor this has found in the eyes of the various elements in this country who would take part in the decision. It is apparently developing strength, though not to the extent of precluding the fullest consideration. The slogan seems to be that no one should be appointed in Porto Rico who is not recommended by the Porto Rican people, and that more legislative power should be granted.

In my conversation with Mr. Barcelo and in his speech at the banquet tendered by Judge Cordova there was not the remotest intimation of independence, but, on the other hand, the warmest expressions of loyalty to the United States and a desire that Porto Rico should be a part of its political organization. What the ultimate relation shall be - whether statehood or something akin to the relation of Great Britain and its self-governing dependencies - has not, of course, taken concrete form. Political conditions and political relations, you know, are being pretty generally considered.

With best wishes, I am,

Very sincerely,



CHAS. C. WALCUTT, JR.,
Acting Chief of Bureau.

November 13, 1919.

My Dear General McIntyre:-

I want to write to you about the present situation as to the appointment of an Attorney General for Porto Rico. I have written General Walcott several times but he does not seem to be willing to write to me on this subject, or at any rate he maintained silence ever since I made the first recommendation of Mr. Sifre three months ago.

I cabled him yesterday briefly the present situation in regard to it which is exceedingly difficult and uncertain for me. Mr. Sifre worn out by the long delay in coming to a decision has found it necessary to his private interests as a lawyer to withdraw his name from consideration.

The Attorney General of the United States has been asked for an opinion as to the eligibility of members of the Legislature of Porto Rico. Mr. Travieso for whose benefit, chiefly, this opinion was requested has written to friends here that he will not accept the office of Attorney General for Porto Rico, so now it seems to me that both Sifre and Travieso are out of consideration and that the Governor will be forced to look for another candidate who must be far less desirable than any of these gentlemen from the point of view of the government, but far more desirable from the point of view of the leaders of the Unionist Party.

It seems to me that this may have been the purpose of Córdova Dávila from the beginning, and that he has manouvered the whole situation into this condition in order to force the appointment of a man suitable to his plans, and that he has used the War Department to accomplish his purpose. For the last three weeks Córdova has been cabling and writing to Barcelona that if the Governor would recommend Mr. Travieso he thought no objection would be made at Washington to his appointment, and that he had exchanged views with you and General Walcott and that you had both agreed with him in the opinion that Mr. Travieso was eligible, and that there-

November 13, 1919.

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(13 Nov 19)

-3-

for Mr. Travieso could be easily appointed and the whole matter settled satisfactorily in this way. All the time that he was doing this he must have known from Mr. Travieso himself, who was in Washington, that the latter did not want the position and would not accept it. He was simply playing for delay, but he has certainly played very successfully.

I have recently received confidential but reliable information emanating from Mr. Travieso himself that the matter is still to be further delayed until the Secretary of War shall have had an opportunity to look into the matter himself when he makes his visit to Porto Rico as he is now planning to do some time the next two or three months and that the Secretary had come to this decision after asking Mr. Travieso if there was any need for immediate action and receiving a negative answer. During all of this time I have been urging through the Bureau that there was the greatest need for immediate action and that the delay was producing the greatest difficulty. Now, General, you see the position in which I am placed. Córdova has been writing letters to his friends here that he has accomplished a great triumph in this matter and has saved his party from a difficult situation, and that he has out-generaled both the Governor and the War Department and is entitled to great credit, and on the surface it looks as though he is right. It becomes however necessary for me now to understand the inside of this matter and to know where the Governor is to get off because not only must this important matter of the Attorney General be settled soon but the term of the Commissioner of Education Mr. Miller will expire on January 17th, 1920, and this position must also be filled by appointment of the President.

Is it necessary for the Governor to secure the endorsement of the Resident Commissioner before any appointment is made by the President, or if this endorsement cannot be secured will it be necessary to endure a delay of several months at Washington before the matter can be settled?

I am sure you will understand better than anybody else at Washington just how important these questions are to the administration of the Insular Government here in Porto Rico. I confess that I am puzzled and mistified by this whole situation.

Mrs. Yager has been in the States for some months and she has been sick most of the time, and I had been

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You know I do not like to complain but I feel now that I must protest that I have not had proper support from the War Department in this matter for the past three months. Now I want to get the decision from the Attorney General of the United States on the matter of the eligibility of members of the Legislature of Porto Rico for these offices as soon as possible. That will be helpful somewhat in the present controversy and also for the future, and meanwhile there seems to be nothing to do but to wait.

If the Secretary of War is planning to come to Porto Rico on a visit I would be glad to be informed officially and I shall be most certainly glad to see him and to give him every possible welcome to the Island.

I am writing this letter to you in complete confidence. I do not know what you can do in this matter but I know that you will be sympathetic and will at least write to me and give me complete information, and also your views and advice in regard to it. I hope that you may find it convenient and politic to have a conference yourself with the Secretary of War, and then write me the results. If I have written anything unwise or injudicious I am sure you will keep it to yourself, but I have written just what I have felt.

Very sincerely, your friend,

General Frank McIntyre,
War Department,
Washington, D. C.

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Washington, D. C.

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
WASHINGTON.

In reply refer to

B. I. A. No.

December 6, 1919.

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

My dear Governor:

Permit me to introduce to you Doctor John B. Grant, who goes to Porto Rico on behalf of the International Health Board of The Rockefeller Foundation, to make a preliminary survey of health conditions there.

Doctor Grant is being sent on the recommendation of Doctor Heiser, who was for many years connected with the health service of the Philippine Islands, and who resigned a few years ago to become associated with the International Health Board.

Doctor Grant wishes to get a thorough insight into the health conditions of Porto Rico, and I bespeak for him any assistance and courtesies that you may find it practicable to extend.

Sincerely yours,



CHAS. C. WALCOTT, JR.,
Acting Chief of Bureau.

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January 6, 1920.

My dear General:

I shall cable you to-morrow to go ahead with the appointment of a Commissioner of Education for Porto Rico without regard to that of the Attorney General. I am anxious to have the matter of the Commissioner of Education settled, if possible, by the time of the expiration of Mr. Miller's present term, and I hereby recommend his re-appointment for another term of four years, beginning January 17, 1920. There is no reason for delay and no reason for any political trouble or difficulty about it. Of course, there is some little agitation here, especially among the local Republicans, because of the controversy between Mr. Miller and the Municipal authorities of San Juan, growing out of the interpretation of the new Municipal Law. The new Municipal authorities desire to charge certain salaries, amounting to several thousands of dollars a year, against the educational funds of the City, to which Mr. Miller objects, on the ground that the school funds should be confined very strictly to the work of the schools. Litigation has arisen over this point, and of course, one is never sure as to how litigation will end, but upon general principles I am myself convinced that Mr. Miller is right, and I hope that that Court will so decide.

When I was in Washington, Judge Cordova Davila positively agreed with me that Mr. Miller ought to be re-appointed, if he was willing to accept, and that he himself would raise no objection. I am informed that some other persons are making a campaign in Washington to get themselves appointed to this place, upon the general ground that it ought to be held by a native Porto Rican, and of course, you know there are some people here who will take this position with regard to any officer who serves in this island. But I have no hesitation whatever in stating that in my judgment it ought to be many years before the Department of Education in Porto Rico is changed from its present status in that regard. Please request the Secretary of War to take prompt action upon this recommendation, if he has not already done so before this letter arrives.

As to the Attorney General, I am still in trouble. I have just received a letter from Mr. Travieso in regard to this matter, in which he informs me of his trip to South America, and of his probable return to New York in April, and of his coming back to Porto Rico as soon thereafter as convenient.

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(6 Jan 20)

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If he does not make other arrangements in South America, he would possibly accept the office after his return, and he expresses a desire that I should leave the matter open until that time. This seems to me very difficult, if not impossible, and I am now looking for some other solution. I have already written you a letter upon this subject and I hope you will be able very soon to hold out some promise of securing capable assistance in the Department of Justice from one or two good American lawyers which will aid in simplifying the situation.

We have just had a visit from a Congressional Party returning to New York from Panama. It consisted of Senator Beckham, and his family, and nine Congressmen, with their families, and other ladies and gentlemen, some thirty-six persons in all. We did the best we could for them, and gave them a great time for two days on the island. They seemed immensely pleased with everything they saw, and I hope that these visits will prove beneficial in the future.

I hope to get matters in shape to make my own visit to Washington sometime next month, but as you know, I shall either have to get an Attorney General appointed, or else have some other head of department designated to act as Governor during my absence.

Colonel Hodges is still in Santo Domingo, but I am informed that he expects to sail from San Juan on the 14th, on the Brasos, and I shall, of course, see him again before he gets away.

With best wishes for you, I am

Very sincerely your friend,

Governor.

Brig. Gen. Chas. C. Walcott, Jr., U.S.A.,
Chief, Bureau of Insular Affairs,
War Department, Washington, D.C.

January 28, 1920.

My dear General:

I appreciated very much indeed, the aid that you extended to Mrs. Yager, and my two children, in getting down to Porto Rico after my attack of illness. They arrived safe on January 21st, and of course their coming has been a great comfort to me. Mrs. Yager also appreciates your aid, and that of the other officers who so kindly helped her in getting to the transport with her baggage, etc.

My trouble was a severe and sudden hemorrhage of the intestines, which came on January 7th, and in two days had robbed me of all my strength and almost two-thirds of the entire blood supply in my body. Fortunately however, it was stopped, and I am now slowly regaining my strength and replenishing the lost blood. The Doctors say I am doing quite as well and even better than was to be expected.

I received your cablegram with reference to Mr. Miller's appointment, and appreciate the promptness of it.

Mr. Benedicto is now Acting Governor, and I am not giving any attention to the routine matters of business.

Some months ago I recommended, in cooperation with the Postmaster of San Juan, and the Postoffice Inspector, the appointment of postmasters for San Juan, instead of Mr. Keith, and for Ponce, instead of Mr. Belaval, both of whom had resigned. No appointments have been made as yet for these positions, and the delay is causing inconvenience especially in San Juan. I wonder what the trouble is. The local newspapers have stated that appointments other than those recommended by the Committee have been nominated, but I can not believe that this is true for this committee to make recommendations was formed by the Postmaster General himself, upon his own motion and we all accepted the service at his request. I wish you would take this matter up with Mr. Burleson, or the proper assistant, and write me the results.

(28 Jan 20)

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*I was planning a trip to Washington, but I
fear it will have to be postponed, at least for a time.*

With best wishes for you always, I am

Sincerely yours,

*Brig. Gen. Chas. G. Walcutt, Jr., U. S. A.,
Chief, Bureau of Insular Affairs,
War Department, Washington, D. C.*

The Filson Historical Society

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
WASHINGTON.

In reply refer to

B. I. A. No.

March 12, 1920.

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

My dear Governor:

It would be very hard to express the pleasure and delight of everybody at seeing your letter of the 1st. The Secretary of War himself was one of those who saw and read your letter.

Your letter and one from Governor Benedicto bring us the very good news that the strike is over and that the physical damage has been comparatively light, that there were no casualties, little or no violence, - possibly some intimidation and interference with laborers. On the whole, it seems that the thing was very nicely worked out as long as you had to have a strike. The part taken by the representatives of the American Federation of Labor does not reflect credit upon them or the organization which they represent. It is a very serious condition to me to have individuals acting independently or in a representative character posing as possessors of all the virtues and elements which are best for the body politic. This is an unfortunate tendency at this time. It is particularly reprehensible to hold out hope of improvement or betterment in any way unless there is back of it power to bring about better conditions. The situation in Porto Rico offers enough difficulty without injecting into it any supposed quick cures or the good results to come from the exercise of Omnipotent power.

It would be very helpful if you could have prepared a report of this strike giving in detail whatever damage was done, the causes or supposed causes, the part taken in it by different elements, the terms of the settlement and how it was brought about. We have already asked for the acreage of burned canefields, and this could be included in the report.

I was talking to Colonel Taylor today about the dredge, and he says that it is in Mobile being overhauled and put in shape for the trip to San Juan. Some difficulty has been experienced in get-

86 x 11

(12 Mar 20)

-2-

ting a tug, but now they have one on hand also being put in repair for the trip, so I hope to be able to let you know shortly that the dredge has actually started for San Juan.

The nomination of Dr. Miller is held up in the committee awaiting the return of Senator Fall, the chairman. He is not expected back before about the first of April. In the meantime, would it not be possible to make your recommendation for Attorney General? Assuming that the Attorney General is to be a Porto Rican and that you and the leaders have agreed upon a man, it occurs to me that if the two appointments could be made at the same, or practically at the same time, any bitterness that might remain from the appointment of Dr. Miller would be neutralized by the good effect of the appointment of a Porto Rican for Attorney General. Of course, there is opposition to Dr. Miller, but I don't think it will avail anything, and when the time comes around the indications are that he will be confirmed. So far as I am able to discover, there is no personal opposition to him.

With assurances of regard and with further expression of pleasure at your improvement and the hope that it may go on, I am,

Very sincerely,



CHAS. C. WALCUTT, JR.,
Acting Chief of Bureau.

The Filson Historical Society

San Juan, Porto Rico.
November 5, 1920.

My dear General:

The magnitude of the Unionist victory grows more impressive with the fuller reports. The Senatorial district of Ponce was also carried by them so that now they have made a clean-sweep of all the districts. There will be only two non-Unionists in the Senate: one Republican and one Socialist. These two will, of course, be the leaders of the two coalition parties, Dr. Barbosa and Senator Iglesias. In the House the opposition seems to have secured 11 seats out of 39. Ponce and Bayamon municipalities were carried by the Republicans and Guayama and Fajardo by the Socialist. The total vote of the respective parties has not yet been tabulated. However, it seems that there will be a rather close race for second place between the Republicans and the Socialists, each of them having somewhere between fifty and sixty thousand votes. The Unionist must have somewhere around 140,000, though it seems likely that many of the registered voters were not gotten to the polls in spite of the compulsory provision of the law.

We're all well. I hope you and Mrs. Pool and Mrs. Kennon are having a pleasant voyage with a good opportunity to rest up from the effects of your rather strenuous journey thru the Caribbean islands. The Porto Rican end of it was, I assure you, most enjoyable to all of us who had an opportunity to see you.

Sincerely your friend?

San Juan, Porto Rico.
January 5, 1921.

My dear General :

Mr. Bennett, the Marshall of the United States District Court, whom you know very well is going to Washington some time this month upon official business. While in the city he wishes to see some of the political men in Congress and talk over the political conditions in so far as they may affect Porto Rico. I have always regarded Mr. Bennett as one of the most capable and well informed of the Americans in the island. And you know that he is an excellent official; and was for many years the Secretary of the Executive Council of Porto Rico before he assumed the duties of his present office. His intelligence, discretion, and trustworthiness are beyond question, and I would appreciate it if you would afford him any courtesy and assistance in your power.

The island is settling down seriously to business with full knowledge of the fact that there are some serious problems of economic readjustment immediately before it which are of more urgent importance than politics. We are now preparing for the regular session of the Legislature which comes on early in February.

With best wishes I am,

Sincerely yours,

General Frank McIntyre,
Chief, Bureau of Insular Affairs,
War Department, Washington, D

P.F.

War Department,
Bureau of Insular Affairs,
Washington, D. C.

November 11, 1920.

Dear Governor:

Before beginning work at the Bureau I must thank you for the many kindnesses extended to me and Mrs. Pool in Porto Rico. I shall never forget them.

I had a most excellent opportunity to see everything in the island and it was a great pleasure to see how everything was running.

I received your wireless on the Cantigny and was delighted to know that the election had passed about as you expected as to public order. Both you and Colonel Shanton are entitled to congratulations.

Again thanking you, I am,

Very sincerely,

Frank McIntyre

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

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P.F.

War Department,
Bureau of Insular Affairs,
Washington, D. C.

November 15, 1920.

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

My dear Governor:

May I present to you Miss Estelle B. Hunter, who is in Porto Rico to make a survey of child welfare work under the Children's Bureau of the Department of Labor. Any courtesy you may extend to Miss Hunter will be much appreciated.

Very sincerely,

Frank McIntyre
FRANK MCINTYRE,
Chief of Bureau.

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WAR DEPARTMENT

WASHINGTON.

DEC 11 1920

Honorable Arthur Yager,
Governor of Porto Rico,
Government House,
San Juan, Porto Rico.

My dear Governor:

I beg to acknowledge receipt of your letter of November 16, 1920, in which you recommend the award of the Distinguished Service Medal to Colonel O. P. Townsend, U. S. Army.

The services of Colonel O. P. Townsend were already under consideration by a board of officers convened in the War Department for such purpose, and I have referred your letter to them for their information and consideration. Upon report from the board I assure you that you will be fully advised of the action taken.

Cordially yours,

(Signed) Newton B. Baker

NEWTON B. BAKER
Secretary of War.

DEC 13 1920

P.T.

WAR DEPARTMENT
BUREAU OF INSULAR AFFAIRS
WASHINGTON



December 14, 1920

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

My dear Governor:

I have your letter of December 4th. The Organic Act of Hawaii was that of April 30, 1900, and it has been amended in no respect affecting your questions.

The following officials are appointed by the President: the Governor; the Secretary, who is also the Vice-Governor; the three members of the Supreme Court; the judges of the five Circuit Courts. The officials of the Federal District Courts are also appointed by the President. The Circuit Courts compare closely to your District Courts. The twenty-nine District Magistrates in Hawaii are appointed by the Chief Justice of the Territory. The other executive officers are appointed by the Governor with the advice and consent of the Senate.

The Territory of Hawaii has a local flag, and I am inclosing a copy of Section 113 of the Revised Laws of Hawaii of 1905, describing this and its use. I have heard of no controversy or discussion as to the manner of its use, which follows practically the method of using the state flags in the United States.

The Territory of Hawaii receives nothing in lieu of the Internal Revenue taxes, including the Income tax and the Customs tax, which are there collected and which accrue to the Federal Government.

I am inclosing a copy of the Report of the Governor of Hawaii for 1920, and you will see that the total revenues of the Government of Hawaii for the year reported on was \$10,925,406.97. While the United States Government collected in Hawaii Federal Internal Revenue receipts, including Income tax, \$11,927,545.81, and Customs taxes amounting to \$1,172,394.04.

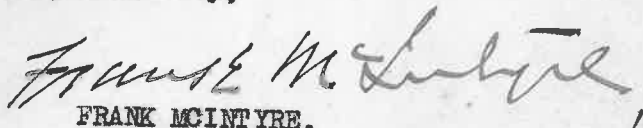
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(14 Dec 20)

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In fact the Government of Hawaii has found it necessary to maintain an Income tax since the year 1901, and this Income tax is one of the principal taxes of the Government, but it is now in addition to the Federal Income tax.

Very sincerely,



FRANK MCINTYRE,
Chief of Bureau.

Incls: Report of Governor of Hawaii, 1920,
Copy, Sec. 113, Revised Laws of Hawaii, 1905.

P. S. I was not quite accurate in saying that Congress provided nothing for Hawaii that was not provided for in Porto Rico. It appropriates about \$55,000 for salaries and for contingent expenses of the Governor and Secretary and for the salaries of the Courts.

FM

The Filson Historical Society

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The Filson Historical Society

Chapter 10.

TERRITORIAL FLAG.

Sec. 113. DESCRIPTION. The former emblem of Hawaii, known as the Hawaiian flag, shall be the flag of the Territory of Hawaii, and its public use, second to the stars and stripes of the United States, is authorized to represent the Territory of Hawaii on land and sea. (L. 1903, c.4, s.1.)

The former Hawaiian flag, which is adopted by this s. is thus described in L. 1896, c.10; C. L. s. 23; which was repealed by Org. Act, s.7:

"The national ensign shall consist of eight horizontal stripes, alternately white, red, blue, etc., beginning at the top, having a jack cantoned in the dexter chief angle next to the point of suspension. The jack shall consist of a blue field charged with a compound saltire of alternate tincture white and red, the white having precedence; a narrow edge of white borders each red side of the saltire. A red cross bordered with white is charged over all.

"The proportion shall be as follows: The fly is twice the hoist. The jack is half the hoist in breadth and 7-16 the fly in length. The arms of the red cross with border shall be equal in width to one of the horizontal stripes; the white border shall be one third the width of the red cross. The arms of the compound saltire are equal in width to the red cross, the tinctures white, red, and the border being in the proportion of 3, 2, 1 respectively."

San Juan, Porto Rico.
December 23, 1920.

My dear General:

Your letter of the eighth instant referring to the report of your having saluted the so-called Independence flag has been received. This alleged incident has been spoken of a little here and I have, of course, denied it as perfectly absurd; and I do not think that any Porto Rican really believed that any such incident actually occurred.

The whole matter, however, is simply an illustration of the lengths to which the defeated party here is constantly going in its efforts to deceive the public, especially at Washington, as to the cause of its defeat. Its press and its leaders are exaggerating and misrepresenting every thing that might show a strong and vigorous movement for Independence on the part of their political opponents in order that they may create the impression that their sweeping defeat in the last election was due to this old issue of Independence rather than to their combination with the Socialist party.

They are pursuing this policy for obvious reasons. They desire to win at Washington what they lost in the local elections. They hope to persuade the in-coming Republican Administration not only to appoint a Republican Governor for Porto Rico, but to instruct this Governor "to support", as they say, the local Republican party as the only pro-American group

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on the island. Of course you know that this will be impossible under the Jones Bill and the effort to do so would create a dead-lock between the executive and legislative bodies of the island which would have, I fear, serious consequences upon the peace and development. Moreover a policy of this sort would prove a very effective means of transforming the entire Unionist party into an anti-American organization.

Of course the Americanization of Porto Rico, in so far as this implies a matter of feeling and sentiment, can not be very well hastened by force. But there are some Americans who seem to think that the right sort of a Governor could wield a club and very quickly show this Unionist party just where to "get off". Maybe they are right, but I do not think so, and I am sure that in order to carry out their plans it will become necessary either to appeal or greatly amend the Jones Bill

I hope you will not give yourself any trouble about the alleged incident of saluting the flag.

Wishing for you and your family a Merry Christmas and a Happy New Year, I am

Sincerely yours,

General Frank McIntyre,
Chief, Bureau of Insular Affairs,
War Department, Washington, D. C.

P. F.

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
WASHINGTON.

In reply refer to

B. I. A. No.

January 12, 1921.

STRICTLY CONFIDENTIAL.

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

My dear Governor:

I think you had some intimation of a conversation which Mr. Turner had with me and which is the subject of the letter which I inclose in order that you may know what was done.

Messrs. Travieso and Barcelo have visited us in the last ten days and I have had pleasant visits with both of them, as also with Judge Cordova. They have all expressed the wish that you should remain there as long as possible as Governor of Porto Rico. I was naturally greatly pleased at this and was more pleased to know that they had expressed the same desire to Judge Towner and others whom they had seen here and that they contemplated getting this view direct to Senator Harding.

We are, as you know, without any real news as to what is contemplated by the President-elect with reference to his Cabinet or other important matters in which we are all deeply interested. This is natural and to be expected.

The part which independence played in the Unionist campaign has been kept well to the front and perhaps exaggerated by their opponents, and I am afraid that this may weaken the effect of their recommendations here, even when such recommendations are conceived in the best spirit and for excellent objects.

I have been greatly disappointed about the interisland steamer, but the Panama Railroad Company promises to put it in operation very soon.

Very sincerely,

Francis M. Lutz

Incl: Copy letter Jan. 12 to Jno. M. Turner.

PERSONAL.

January 12, 1921.

Mr. John M. Turner,
San Juan, Porto Rico.

Dear Mr. Turner:

You will doubtless recall your suggestion to me of the desirability of having Governor Yager named as a member of the Shipping Board.

I did not forget this and have thought of writing to you about it, but as I was unable to accomplish anything, I deferred writing.

I took the matter up first with the Secretary of War. He told me that it was a little late, but that he thought Governor Yager would lose nothing thereby in so much as it seemed apparent that the nominees for the Board were not going to be confirmed. The result seems, so far, to justify that view.

This interview and my own observation of conditions here convinced me that nothing could at this time be accomplished in that direction. This is in order that you may know that the matter has not been overlooked.

We are just beginning to have some of our disagreeable winter weather here, and I hope that you are appreciative of your fine weather in Porto Rico, which I at this time envy you.

With kind regards and best wishes for the New Year, I am,

Very sincerely,

San Juan, Porto Rico.
January 26, 1921.

PERSONAL AND CONFIDENTIAL

My dear General:

I have read with unusual interest your confidential letter of January 12th. I noticed first that you had not learned of the death of Mr. Turner who died more than a month ago after a short and severe return of his old troublesprue. I suppose that the new administration will have to begin de novo in reconstituting the shipping board; and as it must be a bi-partisan in character there might possibly be a chance for my appointment as one of the Democrats. However, there are so many "lame ducks" in this party at present that I suppose there will be a super abundance of material.

I was gratified to learn from you that Messrs. Travieso, Barceló, and Córdova were actually saying the same thing at Washington that they all said to me. Mr. Ruiz Soler has returned from Washington and he tells me, confidentially, that the gentlemen who conferred with Mr. Harding at Marion received the impression that a Porto Rican governor might really be appointed some time during the present year as my successor in the office. Mr. Ruiz Soler saw much of his friend Senator Watson and Judge Towner and other representatives in Washington and seems himself to be hopeful along the same lines. The Unionists have put forward Mr. Travieso as their best candidate and unless he can be appointed they will resist to the utmost of their influence any change. I am confident that the business interests of Porto Rico, especially the Americans who control most of the large enterprises and the banks, will also "obstaculize" to the utmost of their strength the appointment of any Porto Rican at this time on the ground that it would mean an additional shock to confidence and business recovery which have already had shocks enough.

The air is full of rumors and suggestions and arguments. I enclose some clippings from yesterday's Tiempo giving some them in detail which may prove of interest to you. Col. Shanton received by the last boat a letter from

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(26 Jan 21)

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General George K. Darling of Boston who mentioned, amongst other things the following: "I shook hands today (presumably in Boston) with the next Secretary of War and also with the next Governor of Porto Rico, but I am not allowed to give any names." However, as you know, whoever may suit the new administration and the people of Porto Rico will certainly suit me.

You also understand that our next session of the Legislature will begin February 14th and continue at least until some time in June. The fiscal year will close June 30th. The preparation of the annual report occupies August and September. The most convenient time to change the governor is therefore, in the autumn. It was probably for that reason that Governor Colton's term began and ended in November and my term began in the same month. And it may be that convenience of administration might or might not have some influence this year.

I am looking forward with great interest to the installment of the inter-island steamer and hope it will be very soon.

Very sincerely,

General Frank McIntyre,
Chief, Bureau of Insular Affairs,
War Department, Washington, D. C.

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
WASHINGTON.

In reply refer to
B. I. A. No.

February 3, 1921.

CONFIDENTIAL.

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

My dear Governor:

I have your personal and confidential letter of
January 26th.

I was certainly shocked to hear of Mr. Turner's
death. I had no idea that he was not in the best of
health. He was certainly interested in the things of
this world and his friends. I feel that Porto Rico has
lost one of her best citizens.

There seems no doubt that the new administration
will begin de novo in organizing the Shipping Board, but,
as you say, there are many Democratic "lame ducks." I
first gained the impression after the election that there
would be no Republican "lame ducks", but I find that there
are quite a number of those also. A surprising number of
the old members of Congress of both parties were defeated
either in the primaries or in the final election last No-
vember.

I gathered that while Mr. Harding had received the
Porto Rican visitors very kindly he did not promise any-
thing and that he was very careful to avoid any impression
they might receive that he was promising something. The
general impression here is that there will not be appointed
a Porto Rican Governor or, in fact, a resident of Porto Rico.

Mr. Todd is now here, and Mr. Nixon, who has been with
the Republican Committee, is on the ground also. Both have
called on me and both have rather indicated that they were
not candidates for anything in Porto Rico.

Among the persons who have been mentioned here are
Mr. Sanderson, who is at present the Secretary of the Senate,
and I am told from the Hill, though I have not seen him, that
he is an open candidate. I do not know him at all.

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(3 Feb 21)

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There is also a rumor that General George K. Darling, whom I remember as Major Darling, is a candidate for the position. When he says that he shook hands with the next Secretary of War I assume that he meant Senator Weeks. It is generally supposed now that Senator Weeks will be the new Secretary of War, though it has not been announced with such positiveness that it might not be changed.

I have been investigating the cause of the failure to put the ADVANCE on the interisland route between Porto Rico and Santo Domingo and Haiti, and I find, confidentially, that it is this: The Panama Steamship Company is willing to do it and the Secretary of War has urged them to make the necessary preparations. One thing and another has delayed them. The Shipping Board, it is understood, is not favorable, perhaps due to the direct lines between New York and the several islands. In view of this and that the new Secretary of War may have some ideas on the subject himself and may be inclined to agree with the Shipping Board, or at least be unwilling to oppose them, the steamship company feels that it would be wise to withhold action until the new Secretary is installed in office and can be consulted.

I am seeing that you are sent the hearings on the tariff, and you will see that the products of Porto Rico, with the exception of coffee, are being amply looked after by similar interests in the States. It looks now as though the Fordney bill which is now being discussed in the Senate will fail of passage or will be vetoed. From the vote on cloture I take it that there is a bare majority in favor of it in the Senate, and if the President is sufficiently interested to veto it, it could not be passed over his veto. It may, therefore, be that this will be considered in the general revision of the tariff that will come later.

You also ask my judgment as to whether, when, and how, you should take the initiative in the matter of the Governorship under the new administration. Governor Colton's term of office legally expired on December 6, 1913. On August 20, 1913, he wrote a letter to the President, in which he requested that his resignation should be made effective on November 5, 1913. He fixed this date for the reasons given by you - that is, that it enabled him to close out the work of the Legislature, prepare his annual budget, and turn the office over at a convenient time to his successor, and for the additional reason that on that day he completed his four years in the office, he having received a recess appointment on November 6, 1909.

" The office is at present without term and is specifically held "at the pleasure of the President and until his successor is chosen and qualified", and for that reason I believe that it would be advisable for you to write to President Harding placing yourself at his disposal, setting forth the status of the legislative sessions and the annual report. "

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Governor Colton transmitted his letter to the President to me as Chief of the Bureau, and I submitted it to the Secretary of War with a statement, and it was by the Secretary submitted to the President.

As Judge Cordova and Senator Barcelo explained to me, Mr. Harding said to them: "Now that you are satisfied with your Governor it seems to me that there is no particular haste in the premises" or words to that effect. You, of course, know that all of the officers of the Bureau see no reason for a change in the Governorship in Porto Rico at this time. Porto Rico gives the Department no trouble and there is the possibility always that with an indiscreet change it might become a very sore spot.

With kind regards, I am,

Very sincerely,

FRANK M. LUTYEL,

The Filson Historical Society

San Juan, Porto Rico
February 21, 1921.

PERSONAL AND CONFIDENTIAL

My dear General:

I take for granted that you already know that we have some bubonic plague in San Juan. We have cabled for a supply of vaccination material and I suppose Dr. Pedro del Valle of the Public Health Service has cabled his superiors, and I think it quite likely that some press cables have been sent to the newspapers about it.

The presence of the disease here was discovered very promptly and we took all necessary measures immediately even before we were sure of the nature of the trouble, to prevent its spread and stop it out. There were at the beginning only three cases all in one place; and only two new cases have developed since.

We're going to clean up the town thoroughly and make a strong effort to destroy rats. The Legislature has taken prompt and appropriate action. And amongst other things placed at the disposal of the Governor sufficient funds to meet the emergency. The public are behaving with commendable self control and equanimity.

I am considering this morning requesting of the United States Public Health Service to lend us for a season a rat

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PERSONAL AND CONFIDENTIAL

expert so that we may emphasize to the utmost this particular feature and exterminate, if possible, the rat nuisance. They constitute a costly nuisance anyway regardless to the menace to public health at this moment.

We have strong hopes that we may be able to hold the disease to the narrow area where it first appeared and stamp it out quickly. Of course we should like to reduce to a minimum all unnecessary excitement and disturbance of business, because business has already had disturbance enough. I would appreciate any suggestions or assistance you might give in this matter.

The Legislature met on the 14th and organized; and on the 15th received my message in good spirit and I am very hopeful of a good session. I suppose that before this you have received a copy of the Governor's message.

To the surprise of most people Mr. Coll y Cuchí was elected speaker. This election caused a lot of heart burnings, threatened to disrupt at the beginning^{of} the session the harmony in the majority party. Mr. Barceló and Mr. Georgetti were greatly disappointed at the election of Mr. Coll and they strongly accused Mr. Travieso of having deserted them at the critical moment in violation of his agreement. Of course Mr. Coll has placed himself under the strongest pledges and bonds

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PERSONAL AND CONFIDENTIAL

Of good conduct and faithful adherence to the other leaders and the program of the party. This program includes strict attention to the immediate problems confronting the government with any reference to the future political status and cognate discussions. Here's hopint that they carry it out.

Mr. Barceló informs me that the Legislature will adopt very speedily a concurrent resolution addressed to the new administration earnestly pleading for a definite continuance of the present administration without any reference whatever as to what is to follow.

Reverting to the epidemic I'm enclosing clipping from the Times which gives the proclamation of the epidemic and some other details which are substantially accurate and bring the situation up to date.

Very sincerely yours,

WAR DEPARTMENT

Washington

March 3, 1921.

Dear Governor Yager:

I am preparing now to leave the War Department.

As one of my final acts I desire to tell you how much I have appreciated your work in Porto Rico and how great has been my satisfaction at the way in which you have handled the difficult and annoying problems arising there. What would normally have been a heavy responsibility for the War Department will be, due to your efficient management of the affairs committed to you in Porto Rico, one of the most pleasant memories of my service in this office.

With best wishes to you, and with kindest regards to each of the members of your family, I am,

Very sincerely,

(Signed) Newton D. Baker

Secretary of War.

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

WAR DEPARTMENT
BUREAU OF INSULAR AFFAIRS
WASHINGTON



April 21, 1921.


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

My dear Governor:

I have read, with interest, your letter of April 13th in the matter of the new budget and tax propositions to meet the increased budget. The letter shows that you appreciated the origin of the inquiries. I am inclosing a copy of the memorandum with which I submitted to the Secretary your letter, which I thought to be the best way in which to bring the matter to his attention. Unfortunately, I have not as yet had an opportunity of talking the matter over with him.

The Secretary of War had not yesterday submitted any recommendations or discussed seriously with the President the appointment of a Governor in Porto Rico, so that the reports of pending appointments up to that time must have been simply newspaper guesses. The number of candidates has not decreased since my last letter on this subject, but I have no information as to pending action. You, of course, understand that certain people are urging immediate action in the way of appointing a new Governor: if you do not, I think it is well that you should know this. I shall keep you advised fully of everything of interest to you as soon as I, myself, am informed.

Very sincerely,


FRANK McINTYRE,
Chief of Bureau.

Incl: Copy memo. Apl. 20 on Proposed budget for P.R. for F.Y. 1921-2.

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April 20, 1921.

MEMORANDUM FOR THE SECRETARY OF WAR:

Proposed budget for Porto Rico for the fiscal year 1921-2.

The biennial budget passed in 1918 provided a total for the current year 1920-1, with the increase authorized at the special session of the legislature in 1920, of \$8,079,252.15. With this budget in operation 59% of the children of Porto Rico were denied the privilege of attending the public schools.

The American Public Health Association passed at its annual meeting in San Francisco, September 15, 1920, a resolution concerning public health in Porto Rico, in which, among other things, it was recited that -

"The health conditions of the Island remain to this day in a most deplorable condition of neglect, the death rate being twice as high as now prevails in continental United States".

The appropriation for public works was insufficient to maintain in firstclass condition the existing properties and roads and bridges of the government. Additional public works were urgently needed. The conditions of health in Porto Rico were such that an effort to obtain direct assistance from the United States Treasury has been persistent for many years.

On the other hand, the taxation in Porto Rico was far less than in any other place within the jurisdiction of the United States. An income on which the tax in the United States of \$295,510 was levied paid in Porto Rico \$77,540; an income in the United States which paid a tax of \$1,233,510 paid in Porto Rico \$295,040.

This low taxation in Porto Rico resulted in the larger American corporations operating there surrendering their articles in the United States and incorporating in Porto Rico so as to become subject to this lesser tax. The position of the Governor of Porto Rico was that taxation in Porto Rico must at least approach taxation in the United States before Porto Rico could

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with good grace appeal to the United States for assistance in remedying the deplorable conditions of health and public instruction.

Having this in mind, the Governor submitted this year a budget calling for the expenditure of \$10,269,127.60 per annum, an increase over the present year of slightly in excess of \$2,000,000, and of this, \$1,980,000 was to be devoted to education, health and public works. The increased taxation was to be principally in the form of an income tax which was more nearly to approach the income tax in the United States, but in no case to be in excess of the tax imposed here.

My own fear is that the Governor will be unable to secure the passage of the necessary tax laws to enable his successor to profit by the recommendations which he has made and which are necessary to a successful administration in Porto Rico.

FRANK McINTYRE,
Chief of Bureau.

Incls: Gov.P.R. cable Apl.12, #656;
letter Apl.13.

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WAR DEPARTMENT
BUREAU OF INSULAR AFFAIRS
WASHINGTON



In reply refer to

B. I. A. No.

May 4, 1921.

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

My dear Governor:

I have yours of April 26th.

I am sorry that you have been disturbed by the contents of the letter from Mr. Bennett. I think that I have heretofore given you the exact facts of the rumors about the purchase of the railway and the presidency of the University. The Secretary of War did not, and I am sure that the President did not have the slightest idea of any corrupt bargain or understanding. I answered your cablegram on this subject promptly and wrote to you at the same time.

I have been a little more interested in the revenue features of the budget than in the appropriation features, and I have heard nothing about what the Legislature proposed to do in the matter of imposing the additional taxes required.

I sent you yesterday a cable to the effect that Mr. E. Mont. Reily was to be nominated for Governor this week. I did this knowing your interest in the matter and on the statement of Mr. Reily himself and of the private secretary to the Secretary of War. Mr. Reily is from Kansas City, Missouri, and is an investment broker.

The selection, as I understand, was made personally by the President, who has known Mr. Reily for many years.

I have just been called up by the Secretary of War's office and directed to prepare for submission Mr. Reily's nomination, which will probably, therefore, be sent to the Capitol today or tomorrow.

Mr. Reily expects to go West to Kansas City and to return in the near future with his family. He expects to take the oath of office here and to sail shortly thereafter for Porto Rico. These dates are, of course, dependent on confirmation and have not been fixed. I shall keep you advised, of course, by cable of events as they occur.

I hope that the Legislature will have concluded its work

(4 May 21)

and that you will have time to close that business before the change of the Governorship is made.

I am, with kind regards,

Very sincerely,

Frank McIntyre
FRANK McINTYRE,
Chief of Bureau.

The Filson Historical Society

May 4, 1921.

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

My dear Governor:

I have yours of April 28th.

I am sorry that you have been disturbed by the contents of the letter from Mr. Bennett. I think that I have heretofore given you the exact facts of the rumors about the purchase of the railway and the presidency of the University. The Secretary of War did not, and I am sure that the President did not have the slightest idea of any corrupt bargain or understanding. I answered your cablegram on this subject promptly and wrote to you at the same time.

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I hope that the Legislature will have concluded its work

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and that you will have time to close that business before the change of the Governorship is made.

I am, with kind regards,

Very sincerely,

FRANK McINTYRE,
Chief of Bureau.

The Filson Historical Society

MAY 4, 1921.

My dear General:

Some time ago I received a letter from my friend, Dr. Shaw who was in Washington at the time and had had a conference with the Secretary of War. Dr. Shaw advised me to write some time to the Secretary of War and to write fully and frankly. The enclosed is my response to Dr. Shaw's suggestion, and if you think that this letter is not unadvisable I would appreciate it if you would send it on to the Secretary.

Very sincerely yours,

General Frank McIntyre,
Chief, Bureau of Insular Affairs,
War Department, Washington D. C.

May 11, 1921.

My dear General:

I fear that you will think that in the last few days I've been sending you cablegrams in a rather hysterical fashion. But the truth is, that the situation in Porto Rico since the receipt of your cable of May 4th announcing that Mr. Felley would immediately be nominated has become entirely unprecedented and very remarkable. The Legislature immediately accepted the news of the appointment of the new governor as a challenge and they immediately picked up the gauntlet.

Notwithstanding your warnings in your letter of April 25th and in one or two other letters I had thought that the President would follow the policy indicated in the second paragraph of his letter to me of April 9th and not make an appointment of a new governor until after the adjournment of the Legislature. His doing so about a month in advance of the expected end of the session showed clearly that he had changed his mind and for some reason desired to appoint the new governor before the end of the session. The Legislature believed that his reason must have been his desire to have a new governor come down in time to interfere with any wrong purposes that they may have had in mind about the railroad bill, the increased budget, the taxation laws etc. They believe that the change of policy was due to the charges made at Washington against themselves and the governor. and their reaction was to take recess of the Legislature immediately and to await the arrival of the new governor without final adjournment whether he comes in June, July, or August. Whenever he comes he will find the Legislature in session ready to take up with him at least some of the most important laws as well as other matters in which they are greatly interested.

I received your cablegram of May 8, No. 423, just before the Legislature had passed the Concurrent Resolution to recess, which, by the way, I am enclosing, and I sent for Mr. Barceló and Mr. Coll and showed them your cable and tried to persuade them to postpone the recess and continue their work, at least until they could learn the probable date of the new governor's arrival. But they called attention to the fact that you were just expressing your own views in this cable

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as to the propriety of their finishing their work and they did not believe that your views on this matter coincided with those of the Secretary of War or of the President. At any rate they went right ahead with their recess.

Another bombshell was thrown into the works by the receipt of your cable of May 7th, No. 434 in which you state as follows: "Reiley's nomination sent to the Senate (May 5) will probably take oath of office as soon as confirmed. Acting governor will be designated to act until he arrives." This indicated that Mr. Reiley meant to qualify as soon as he was confirmed and as he would then become the actual governor an acting governor would be immediately designated by the President to serve until Mr. Reiley's arrival. This would probably enable Mr. Reiley to take the salary and make it necessary for me to leave the island just as soon as I possibly can. Of course I do not wish and I cannot afford to remain in the island for any length of time after I cease to be governor. I must get back to Kentucky and get to work at something else as soon as possible. This rather summary proceeding following upon the inopportune appointment of the new governor has produced real consternation and the situation is entirely unprecedented. I do not know at what moment Mr. Reiley may become the actual governor and the acting governor be designated. I suppose I'll be notified in time to prevent my attempting to perform official duties after my term of office has expired. The whole situation is unprecedented.

Under the Foraker Act all of the officials had a definite term of office expiring on a certain date. Whenever any of these officers qualified in Washington or elsewhere outside of the island there was already a vacancy and their terms had begun before they qualified. Personally I do not believe that taking the oath of office in Washington constitutes qualification in the sense that it makes the term begin. The case of Judge Odlin is entirely in point. And the Department of Justice after having instructed Judge Odlin to qualify in Washington when the pinch came they backed away from it and ignored completely the oath of office taken up there. Judge Hamilton continued to perform the duties and Judge Odlin qualified on his arrival. The Auditor of Porto Rico has always held that officers must qualify here, even under the Foraker Act when there was an actual vacancy. Attorney General Foster Brown held the same opinion, though Attorney General Pitkin held differently in the case of Judge Hamilton on his first appointment

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when there was an actual vacancy in the office.

Aside from the strict law of the matter it does not seem proper that I should be summarily taken out of the office of governor while I'm still in the island, granting that I'm making proper effort to get away. I'm perfectly sure that public opinion here in Porto Rico regardless of party, excepting of course the extreme partisans who are running *El Tiempo*, would be greatly shocked at such a procedure and that it would increase the difficulties for the new administration. I have cabled you that I could leave on the May transport provided it came around by Panama which would give me some nine or ten days more than if it came direct. It seems absolutely impossible for me to get away by the 16th of May. Mrs. Yager is not strong, has had a serious illness; and while she has been engaged in packing for some days I do not think it possible for us to get our things together in time for this transport.

Besides all this I confess to you frankly that I can not see any good to be accomplished by this summary process. On the contrary I am quite sure that a more dignified and orderly procedure of accomplishing a change would be exceedingly helpful to the new administration from every point of view. When the Legislature reassembles on the 30th of May, if the new governor has not arrived by that time, I feel sure I could persuade the Legislature at least to finish the budget and perhaps some of the tax laws. The delay on the budget is exceedingly unfortunate and if it is not passed by July 1st the governor would have to put in force the old budget and this is very undesirable.

In view of the whole situation, therefore, I still have hopes first, that the new governor will not attempt to qualify at Washington or at least before I can leave the island; second, in case it may not be convenient for him to sail before June 10th that he come on the transport due to leave that date and allow me to assist at his inauguration and hand the government over to him in person as is done in all the states, and I would leave on the transport sailing probably on the same day of the inauguration. However, if the governor could come down sooner than this I would rearrange my plans so as to conform with his.

Very sincerely yours,

May 17, 1921.

My dear General:

Our mails, as you probably know, have been irregular and slow because of the stevedore strike in New York; but I have just received your letters of May 4th and 5th and also that of April 27th. I have read them all with interest. As I cabled you I have definitely arranged for transportation for myself and family on the Navy transport Kittary which is expected to reach San Juan and sail to Hampton Roads some time about May 20th. The port of landing is somewhat inconvenient but as the date is more convenient I have decided to stick to this arrangement.

Of course, as I am in a great rush of preparation for final departure I will make this letter very brief. I hope to drop in to Washington for a day and have a chat with you before then to Kentucky and we can then talk over all recent matters more conveniently.

There is little to add to what I have already written and cabled as to the situation here. Mr. Benedicto assumed the office of Acting Governor on May 16th; perhaps he has cabled you to that effect. It is quite impossible to predict what will be done by the Legislature when it reassembles at the end of May. But the indications are that they will hold up everything important pending the arrival of the new

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Governor. They seem determined to have a conference with him over the budget, taxation laws, and other important laws and also over the policy he intends to pursue in the matter of appointments before they finally adjourn. This, is, of course, extremely inconvenient and difficult for the government. But my impression is that they will carry it out without regard to the time that the new Governor may postpone his arrival.

It is exceedingly unfortunate from every point of view that the appointment of Mr. Reilly could not have been postponed at least two or three weeks, for the Legislature was expediting its work in every possible way so that it could adjourn in the latter part of May in the firm belief that no appointment would be made until after they had finished their work.

Mr. Barceló and Speaker Coll and some others were hoping and expecting to have a chance to go to Washington themselves and be heard in the matter before the appointment was finally determined. The announcement in your cablegram of May 4th that the nomination was to be made at once threw a monkey wrench in the entire machinery. All the explanations of it thus far received are entirely unsatisfactory from the Porto Rican point of view and I see no way out of the situation now except for Mr. Reilly to get down as quickly as possible and get the in-

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3.

avoidable conferences over as soon as possible. I hope also that he will be able to exhibit a conciliatory attitude and an intelligent comprehension of the problems and difficulties connected with the government of Porto Rico. The people of Porto Rico of all parties and conditions are looking forward to his coming with real concern and anxiety.

Very sincerely,

General Frank McIntyre,
Chief, Bureau of Insular Affairs,
War Department, Washington, D. C.

The Filson Historical Society

MEMORANDUM FOR THE SECRETARY OF WAR:

Proposed budget for Porto Rico for the fiscal year 1921-22

The biennial budget passed in 1918 provided a total for the current year 1920-21, with the increase authorized at the special session of the legislature in 1920, of \$8,079,252.15. With this budget in operation 59% of the children of Porto Rico were denied the privilege of attending the public schools.

The American Public Health Association passed at its annual meeting in San Francisco, September 15, 1920, a resolution concerning public health in Porto Rico, in which, among other things it was recited that -

"The health conditions of the Island remain to this day in a most deplorable condition of neglect, the death rate being twice as high as now prevails in continental United States".

The appropriation for public works was insufficient to maintain in firstclass condition the existing properties and roads and bridges of the government. Additional public works were urgently needed. The conditions of health in Porto Rico were such that an effort to obtain direct assistance from the United States Treasury has been persistent for many years.

On the other hand, the taxation in Porto Rico was far less than in any other place within the jurisdiction of the United States. An income on which the tax in the United State of \$295,510 was levied paid in Porto Rico \$77,540: an income in the United States which paid a tax of \$1,233,510 paid in Porto Rico \$295,040.

This low taxation in Porto resulted in the larger American corporations operating there surrendering their articles in the United States and incorporating ~~there~~ in Porto Rico so as to become subject to this lesser tax. The position of the Governor of Porto Rico was that taxation in Porto Rico must at least approach taxation in the United States before Porto Rico could with good grace appeal to the United States for assist ance in remedying the deplorable conditions of health and public instruction.

Having this in mind, the Governor submitted this year a budget calling for the expenditure of \$10,269,127.60 per annum, an increase over the present year of slightly in excess

of \$2,000,000. and of this \$1,880,000 was to be devoted to education, health and public works. The increased taxation was to be principally in the form of an income tax which was more nearly to approach the income tax in the United States but in no case to be in excess of the tax imposed here.

My own fear is that the Governor will be unable to secure the passage of the necessary tax laws to enable his successor to profit by the recommendations which he has made and which are necessary to a successful administration in Porto Rico.

Frank McIntyre,
Chief of Bureau,

Incls: Gov.P.R. Apl: 12 #656;
letter Apl. 13.

The Filson Historical Society

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The Filson Historical Society

Birtle, Caseyville, Ky.; Carey Gustavus Jewell, Glasgow, Ky.; Henry Loring Landon, Russellville, Ky.; James Madison Burch, Covington, Ky.; Edward Bartholomew, St. Croix, Ind.; Russell Edward Hale, 1600 South Twenty-eighth street; Frederick Joseph Moon, 1420 Brook street.

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TERY A.
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Harry K. Gra
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DEFEND ARTHUR YAGER

No Basis for Charges Against the Governor of Porto Rico.

WASHINGTON, May 18.—Information from representatives of all sources in private life and public men, irrespective of party in Porto Rico, is to the effect that Governor Arthur Yager has done nothing to justify charges by labor leaders that he is discriminating against labor; that on the contrary, all war work is being pushed and encouraged by him in every way.

Samuel Gompers now denies that he requested the removal of Governor Yager. Friends of the latter in Congress are active in support of him.

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HEALTH OFFICERS CONFER

Those of Counties and Cities of State Meet Here Next Week.

The seventh annual conference of the county and city health officers of Kentucky will be held in the Red room at the Hotel Shelby on next

The Filson Historical Society

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
WASHINGTON.

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CONFIDENTIAL.

My dear Governor:

I learned today, in a rather round about way, that you were perhaps worrying a little about the conditions in Porto Rico in view of the fact that some things had been aired in the press up here.

I am writing to you in entire confidence ~~without putting it on our records, and I hope that you will not put it on yours,~~ and in a strictly personal way, to say that you should not allow whatever has appeared up here to worry you in the slightest. I can easily imagine anyone in your position being concerned at the totally unfair criticism which the class of people who handle these labor questions deal in, and while they may loom up large in Porto Rico you can easily understand that people up here pay no attention to them .

It has just occurred to me that perhaps in forwarding a copy of the hearings before the Industrial Commission to you without any comment you might have obtained the idea that the War Department or the Bureau was giving some thought to the matter. Mr. Gompers is too well known for anyone to bother attempting to meet his arguments and the best thing that can happen to his press work is to ignore it.

In yesterday's papers I noticed an effort to do a little press work from Porto Rico, and I verified the source of it this morning. It came from Mr. Hull's correspondent here, Mr. George Garner of the Boston Globe who is a very likable fellow and very anxious to do the right thing by Porto Rico, and give Mr. Hull something of interest from this end. Knowing nothing of Porto Rican conditions and the Bureau's relation to them, I have had some difficulty in ^{giving} him the right point of view, ^{since} ~~but~~, like most writers, he tries to lay on the local color so much that he sometimes leans over backwards. For instance, I have explained to him several times that it was to the best interests of the bureau and to Mr. Hull's paper not to refer so frequently to the Bureau of Insular Affairs or to its personnel as the Bureau is cognizant of the fact that most Porto Ricans and a good many Americans desire to make it appear that they are serving under a tyrannical military regime. I intimated to him last week

to appreciate

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that the source of news might dry up if he did not be careful, in this respect, and he has made every effort to grasp the situation. I do not know why he started this publicity business, whether it was on his own responsibility or with the knowledge of Mr. Hull, or what, but that sort of business could be much better handled by some one writing from Porto Rico, like Mr. Hull, than it can by a correspondent writing from Washington who has never been in the island.

Mr. Garner has been rather pointed in his remarks with reference to Mr. Rivera, and this has annoyed me a little bit because he perhaps got his idea from me and elaborated upon it. I told him one time that Porto Rico was badly in need of publicity and pointed out the difference between the way her problems were handled by the press here and the way Philippine questions were handled. The Philippine Commissioner travels everywhere and never fails to be present when there is a chance to get in a word for his people, and he keeps the Philippine problem actively agitated in Congress and in the press all the time. It is Mr. Rivera's misfortune that his Latin temperament leads him to seclude himself in his office where it is difficult for people to find him to do business with him, let alone learn anything about Porto Rico spontaneously.

I hope you will understand my point in writing you in this way at this time, but I want you to know that there is no Department of the Government up here which has been in any degree influenced by the effort to agitate the labor problem of Porto Rico; least of all is there any inclination anywhere, either in the War Department or the White House to do anything but praise your administration in the island, and while, of course, I am not personally in a position to speak officially in such a matter, I am confident that I am right when I say that your administration has met with the approval of everybody here.

I hope that your health has not been impaired by the troubles you have been going through and that you will not let the labor agitators bother you. I think, if I were in your place, I would turn Mr. Bills and Mr. Travieso loose on them, and go fishing myself.

Very sincerely,

J. L. Hunt.

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

If you should decide to say anything to Mr. Hull re publicity for P.R. please do not let it appear that there has been any criticism of Mr. Garner for he is an excellent man & tries to do his best for the island - but Mr. Hull could do it better on account of his knowledge of local conditions.