

CIVIL GOVERNMENT FOR PORTO RICO.

JANUARY 25, 1916.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. JONES, from the Committee on Insular Affairs, submitted the following

REPORT.

[To accompany H. R. 9533.]

The Committee on Insular Affairs, to whom was referred the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes, beg leave to report that they have had the same under consideration and recommend that the same do pass.

Whilst this bill was under consideration the Hon. Arthur Yager, governor of Porto Rico, and Gen. Frank McIntyre, Chief of the Bureau of Insular Affairs, appeared before your committee and gave to it the benefit of their views in regard to its various provisions. Those views are to be found in the printed hearings.

This bill, with a few changes, some of which are made necessary by altered conditions, but none of which goes to the extent of materially changing its form or substance, is the identical bill (H. R. 14866) reported unanimously from this committee at the second session of the Sixty-third Congress. The report upon that bill (No. 461) is therefore adopted as applicable in the main to this bill.

The more important particulars in which this bill differs from that reported in the Sixty-third Congress may be briefly stated as follows:

This bill specifically provides in its ninth section that taxes collected under the internal-revenue laws of the United States, whether on articles produced and used within the island of Porto Rico or on articles produced there and transported to the United States, shall be covered into the treasury of Porto Rico. It appears that the present rule is to pay into the Porto Rican treasury those taxes that are collected under the internal-revenue laws of the United States on articles produced and used in Porto Rico, and into the Treasury of the United States internal-revenue taxes collected on articles produced in Porto Rico but transported to the United

States. In the opinion of your committee these taxes should all be covered into the treasury of Porto Rico. The internal-revenue taxes collected on articles produced in Porto Rico and transported to the United States amount to about \$500,000 annually. The customs duties collected in Porto Rico have fallen off in the last three or four years from \$1,100,000 to \$350,000. In each of the years 1911 and 1912 the customs receipts of Porto Rico were \$1,100,000. In the year 1914 they dropped to \$674,000, and in 1915 they only amounted to \$350,000. This was due to the gratifying increased trade of the island with the United States, as well as to the loss of shipping facilities brought about by the war in Europe. The loss of this revenue has seriously embarrassed the Porto Rican Government, and it is believed to be but just and fair that it should receive the internal-revenue taxes collected upon its products, whether those products are used in Porto Rico or produced in Porto Rico and transported to and used in the United States.

Another particular in which this bill differs from that reported by this committee in the Sixty-third Congress is that the absolute veto power given to the governor in that bill is in this bill lodged with the President of the United States.

The thirty-eighth section of the bill reported in the last Congress provided for a public service commission consisting of the six heads of departments and the auditor. This bill increases the membership of that commission from seven to nine members by adding two to be chosen by popular election.

It was provided in section 42 of the bill reported in the Sixty-third Congress that the district judge should, as to pay, tenure, retirement, and allowances, be on the same footing as other United States district judges. This bill provides, in the corresponding section, that the district judge shall serve for a term of four years and that his salary shall be \$5,000 per annum. It is the opinion of your committee that this Federal judge should not be given a life tenure.

The other changes made in the bill reported by this committee in the Sixty-third Congress are of such minor importance that it is not deemed necessary to specifically call attention to them. The report upon that bill, hereinbefore referred to and which is made a part of this report, taken in connection with the foregoing, sufficiently fully sets forth the changes which this bill, if enacted into law, will effect in the present organic law of Porto Rico and the acts of Congress subsequently enacted amendatory thereof. It is as follows:

The Committee on Insular Affairs, to whom was referred the bill (H. R. 14866) to provide a civil government for Porto Rico, and for other purposes, beg leave to report that they have had the same under consideration, and recommend that the same do pass.

The act of Congress known as the organic act of Porto Rico, as subsequently amended in one or two unimportant particulars, has now been in force for nearly 14 years, although entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes." It has long been apparent that changed conditions in Porto Rico, as well as the advancement made by its people in the art of civil government, justified, if they did not demand, the substitution of a more permanent and liberal form of government for that which has obtained in the island all these years, and therefore the House of Representatives, on June 15, 1910, passed a new organic act as a substitute therefor. But that bill, which gave to the people of Porto Rico a larger measure of self-government than that which they now enjoy, failed of

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referred the bill (H. R. 10000) and for other purposes. It is now under consideration, and

Porto Rico, as subsequently amended, is now in force for the purpose of providing revenues for the purposes of the Government, as well as the advancement, justified, if they did not have a liberal form of government in these years, and therefore a new organic act as a result of the people of Porto Rico a they now enjoy, failed of

passage in the Senate. This bill is intended to supersede the present act of Congress approved April 12, 1900, and the amendments thereto approved May 1, 1900, March 2, 1901, and July 15, 1909, and, if enacted into law, will give the Porto Ricans a much more advanced and liberal form of territorial government than that which they now have.

During the consideration of this bill the Hon. L. M. Garrison, Secretary of War; the Hon. Arthur Yager, governor of Porto Rico; Gen. Frank McIntyre, Chief of the Bureau of Insular Affairs; and the Hon. Luis Muñoz Rivera, Resident Commissioner from Porto Rico, appeared before your committee and gave to it the benefit of their views as to its various provisions, which views are to be found in the published hearings.

The present organic act contains no bill of rights for the people of Porto Rico, and this bill seeks to correct that omission by providing one in its second section.

Probably the most important change made by this bill in the present law is that which makes "all citizens of Porto Rico as defined by section 7 of the act of April 12, 1900, 'temporarily to provide revenues and a civil government for Porto Rico, and for other purposes,' and all natives of Porto Rico who were temporarily absent from that island on April 11, 1899, and have since returned and are permanently residing in that island and are not citizens of any other country" citizens of the United States. This changes the political status of the inhabitants of Porto Rico from citizens of Porto Rico to citizens of the United States. Any citizen of Porto Rico, however, who desires to retain his present political status may do so by making a declaration to that effect before the district court in the district in which he resides within six months after the taking effect of this act.

Another of the more important changes which this bill makes is that which provides for an elective senate composed of 19 members. At present the legislative assembly consists of an executive council composed of 11 members appointed by the President, 6 of whom are heads of executive departments, and only 5 of whom must be natives. It is believed that the legislative branch of the government should be entirely divorced from that of the executive, except in so far as the governor is given the absolute veto power over all legislation. It is also the opinion of this committee that experience has shown that the people of Porto Rico may safely be intrusted with the power to elect the members of both branches of their legislature.

This bill creates two new executive departments, that of agriculture and labor, the head of which shall be designated as the commissioner of agriculture and labor, and that of health, the head of which shall be designated as the commissioner of health. It also provides for the appointment of an auditor by the President, and for an executive secretary to be appointed by the governor. The secretary and auditor as now provided for, and who are now members of the executive council, will be dispensed with if this bill is enacted into law.

The heads of the six departments provided for in this bill are to collectively form a council to the governor to be known as the executive council.

There are now no educational or property qualifications imposed upon the exercise of the right of suffrage in Porto Rico. It is provided in this bill that after the date of its approval no person shall be allowed to register as a voter who is not a citizen of the United States over 21 years of age, and who is not able to read and write, or, on the date of registration, shall not own taxable real estate in his own name. It is believed that these qualifications can be met by all who may hereafter desire to become registered voters, or, at least, by such as should be permitted to vote. It is not thought that those who are illiterate and who own no taxable real estate should hereafter be permitted to register and thus acquire the right to vote. No one who had acquired the right to vote before the passage of this bill will be disturbed in the enjoyment of that right.

The franchises now granted by the executive council as at present constituted will, if this bill becomes a law, hereafter be granted by a public-service commission consisting of the executive council and auditor provided for therein.

There are many other changes made in the existing law by this bill, but those that have been enumerated are believed to be the more important. They are all intended to give to the people of Porto Rico a larger degree of participation in the affairs of their government without in the least impairing its efficiency.

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A CIVIL GOVERNMENT FOR PORTO RICO

HEARINGS

BEFORE THE

COMMITTEE ON INSULAR AFFAIRS

HOUSE OF REPRESENTATIVES

SIXTY-FOURTH CONGRESS

FIRST SESSION

ON

H. R. 8501

A BILL TO PROVIDE A CIVIL GOVERNMENT FOR  
PORTO RICO, AND FOR OTHER PURPOSES

JANUARY 13 AND 15, 1916



WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1916

The Filson Historical Society

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M E N S A J E

DEL

GOBERNADOR DE PUERTO RICO

A LA

OCTAVA ASAMBLEA LEGISLATIVA

TERCERA LEGISLATURA, FEBRERO 12, 1917

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M E S S A G E

OF THE

GOVERNOR OF PORTO RICO

TO THE

EIGHTH LEGISLATIVE ASSEMBLY

THIRD SESSION, FEBRUARY 12, 1917

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MENSAJE ANUAL  
DEL  
GOBERNADOR DE PUERTO RICO  
A LA  
OCTAVA ASAMBLEA LEGISLATIVA.  
TERCERA LEGISLATURA.

FEBRERO 12, 1917.

*Al Consejo Ejecutivo y  
a la Cámara de Delegados:*

Es inútil que mencione detalladamente la serie de circunstancias que han hecho necesario que esta Octava Asamblea Legislativa se reúna en una tercera legislatura anual, como consecuencia de disposiciones legales y de la reciente legislación decretada por el Congreso, que son bien conocidas de todos. Es también quizás superfluo que haga referencia al hecho de que vuestra reunión en este momento se lleva a efecto en un instante de inquietud y excitación.

Los funestos sucesos de los últimos días parecen hacer aún más críticas nuestras relaciones internacionales, y podrían dar por resultado la entrada, en alguna forma, de nuestro gran país en la vasta guerra mundial que ha asolado por más de dos años al viejo mundo. Continuemos en la esperanza de que esta crisis podrá también pasar, como han pasado otras, sin la calamidad de la guerra, a la que nuestro pueblo sinceramente lamentaría verse constreñido.

Además de lo expuesto, hay otra razón que hace difícil, en este momento en que se abre la legislatura, proceder a la obra corriente de legislar con calma y atención, y la cual es el actual *status* y las perspectivas de la nueva ley orgánica para Puerto Rico.

El proyecto de ley Jones que constituye dicha ley orgánica, está actualmente en las últimas etapas de su aprobación en el Senado de los Estados Unidos. Parece casi seguro que será aprobado durante el mes corriente. Esta legislación es de tal importancia para la Isla, que su inminente sanción absorbe naturalmente una gran parte

de la atención de todo el pueblo, de modo que la incertidumbre acerca de su suerte tiende a distraer nuestra mente de crear legislación que, después de establecida, podría ser necesario modificar para adaptarla a las disposiciones de la nueva ley. Por esta razón, estimo conveniente abstenerme en este mensaje de hacer recomendaciones sobre muchos asuntos que pudiera ser necesario que vosotros tomaseis en consideración después que la suerte de este proyecto de ley haya sido resuelta en definitiva. Sin embargo, cuando esta cuestión se haya decidido conclusivamente, os dirigiré otro mensaje que abarque aquellas recomendaciones que las circunstancias exigieren.

Si el proyecto de ley Jones fuese aprobado por el Senado de los Estados Unidos, como en la actualidad parece casi seguro, lo será con numerosas enmiendas al mismo tal como lo aprobó la Cámara de Representantes. Aunque algunas de esas enmiendas son de gran importancia, ninguna de ellas afecta a los principios fundamentales del proyecto, ni modifica seriamente la concesión del amplio gobierno propio que otorga. Por lo que hace a todas esas enmiendas sugeridas por el Senado, tendremos que aguardar la decisión final del Comité de Conferencias de las dos Cámaras, y aconsejo paciencia y esperanza por el corto tiempo que resta para terminar la presente legislatura del Congreso.

Me place informaros que los ingresos corrientes del Tesoro Insular han aumentado, durante los primeros siete meses del año económico actual, con relación a los cálculos hechos a principios del año por el Tesorero interino, en tal proporción que anuncian una renta de unos \$300,000 más que la calculada. Si este aumento continúa hasta 30 de junio, podremos cerrar el año sin déficit, a pesar de que las asignaciones superaron el último año en unos \$300,000 a los ingresos calculados.

Deseo someter a vuestra consideración una o dos cuestiones de tan urgente importancia que parecen necesitar ser atendidas durante los primeros días de la legislatura.

En primer lugar, la asignación hecha el año pasado para la revisión de las tasaciones sobre la propiedad, que se supuso ser suficiente, ha quedado casi agotada antes de terminarse ese importante y arduo trabajo. La razón para ello puede ser ampliamente explicada a vosotros por el Tesorero interino y también quizás por los miembros de la Junta de Revisión e Igualamiento. De cada dólar gastado se podrá dar y se dará razón satisfactoriamente. El trabajo ha resultado ser largo y difícil, aunque hasta ahora se ha realizado con éxito completo. La propiedad de toda la Isla será tasada, para fines contributivos, más

la incertidumbre acerca de crear legislación que, modificada para adaptarse a las necesidades. Por esta razón, estimo que es necesario hacer recomendaciones al respecto que vosotros tomaréis en cuenta de este proyecto de ley, cuando esta cuestión sea sometida a otro mensaje que abarcará las necesidades exigidas.

Lo que por el Senado de los Estados Unidos, lo será o lo aprobó la Cámara de Representantes. Las enmiendas son de gran importancia fundamental para la conservación del amplio gobierno que nos da esas enmiendas sugeridas para la decisión final del Congreso y aconsejo paciencia y perseverancia para terminar la presente

sesiones del Tesoro Insular de los Estados Unidos. Los principios del año por el presupuesto continúan hasta 30 millones a pesar de que las asignaciones de \$300,000 a los ingresos

una o dos cuestiones de carácter ser atendidas durante

año pasado para la revisión se supuso ser suficiente, pero es importante y arduamente explicada a vosotros por los miembros de la Cámara. El trabajo que se podrá hacer ha resultado ser realizado con éxito completo. Los fines contributivos, más

acabada y equitativamente que antes. Pero, a fin de llevar el trabajo a su término con la misma perfección y equidad, será necesario votar un crédito adicional de unos \$30,000, y recomiendo que esta suma sea asignada tan pronto como fuere posible. Aparte de la importancia de este asunto en sí mismo, hay otras razones accesorias, para explicar las cuales no ocuparé vuestro tiempo en este momento, por las que considero importante que el trabajo sea enteramente terminado y concluido en seguida: necesitaremos los resultados estadísticos que por primera vez se han obtenido en esa revisión, para futura legislación.

Recomiendo asimismo a vuestra inmediata consideración que se reembolse a los fondos denominados "Gastos diversos sujetos a la aprobación del Gobernador," las dos partidas de gastos que recientemente se hicieron con cargo a esos fondos, a saber:

1. Para la Comisión de ambos partidos políticos enviada recientemente a Washington con objeto de trabajar para la aprobación del proyecto de ley Jones, \$1,735.

2. Para reparación y ensanche de las oficinas de la Jefatura de Policía en San Juan, obras necesarias a causa del traspaso a la Junta Escolar de San Juan de una parte del terreno y edificios utilizados antes por el Departamento de Policía, \$5,000.

La primera de esas partidas no necesita explicación, pues de ella tienen completo conocimiento todos los miembros de ambas Cámaras de la Asamblea Legislativa. La segunda partida se hizo urgentemente necesaria a causa de una circunstancia imprevista que surgió con motivo de una ley aprobada en la última legislatura de la Asamblea Legislativa, traspasando a la Junta Escolar de San Juan, para fines escolares, un solar radicado detrás de las oficinas de la Jefatura de Policía. Quizás nadie en el momento se dió cuenta exactamente de los puntos por donde pasarían las líneas que incluían esa concesión, ni hasta dónde ellas arrebatarían la propiedad destinada hasta ahora al uso de la policía. Se encontró, sin embargo, cuando se hizo la mensura por el Departamento del Interior, que se había tomado tanto de la propiedad utilizada por la policía, que por un instante se temió que todo el cuartel tendría que ser trasladado a algún otro sitio. Después de un detenido estudio y consideración del asunto, se vió que era posible reparar y reformar el edificio de la calle de San Francisco, de tal modo que se pudiese continuar usándolo como oficinas de la Jefatura de Policía. Esta será una mejora permanente,

ANNUAL MESSAGE  
OF THE  
GOVERNOR OF PORTO RICO  
TO THE  
EIGHTH LEGISLATIVE ASSEMBLY  
THIRD SESSION,  
FEBRUARY 12, 1917.

*To the Executive Council  
and the House of Delegates:*

It is needless for me to recount the course of events that has made it necessary for this Eighth Legislative Assembly to meet in a third annual session. These are matters of law and recent legislation by Congress and are well understood by all. It is also perhaps superfluous for me to refer to the fact that your meeting at this moment falls upon a stirring and exciting time.

The portentous events of the last few days seem to make even more critical our international relations and may even result in the entrance of our great country in some manner into the great world war which has devastated the old world for two or three years. Let us continue to hope that this crisis also may pass as have others, without the calamity of war which our people so earnestly deprecate being forced upon us.

In addition to the above, there is another reason why this present session opens at a time that makes it difficult to proceed with the ordinary work of legislation with calmness and attention, and that is the present status and prospects of the new Organic Act for Porto Rico.

The Jones bill, embodying this act, is now in the last stages of its passage through the United States Senate. It seems almost certain that it will pass during the present month. This legislation is of such importance to the Island that its impending enactment naturally absorbs much of the attention of all the people, so that the suspense as to its fate tends to distract our minds from creating legislation, which after it is done may have to be modified to conform to the provisions of the new act. On this account I deem it



advisable in this message to refrain from recommending many matters that may become necessary for you to consider after the fate of this bill may have been definitely settled. When, however, this matter shall have become definitely determined, I will deliver to you another message embodying such recommendations as the circumstances may require.

If the Jones bill should be passed by the United States Senate, as seems now almost assured, it will be with numerous amendments upon the measure as it passed the House of Representatives. While some of these amendments are of great importance, none of them affect the fundamental principles at the basis of the measure, or seriously modify the grant of enlarged self-government contained therein. As to all these amendments suggested by the Senate, we shall have to await final action by the Conference Committee of the two houses of Congress, and I counsel patience and hope for the short time remaining to the present session of Congress.

I am pleased to inform you that the ordinary receipts of the Insular Treasury have increased during the first seven months of the present fiscal year, above the estimates made by the Acting Treasurer at the beginning, at such a rate as would indicate an income of about \$300,000 more than the estimates. If this increase continues until June 30, we shall be able to close the year without a deficit in spite of the fact that the appropriations last year were some \$300,000 more than the estimated income.

I desire to submit one or two matters to your consideration of such urgent importance that it seems to be necessary for them to be acted upon during the first few days of the session.

First, the appropriation made last year for the revision of the assessment, which was supposed to be ample, has become practically exhausted before the final completion of this important and arduous task. The reason for this can be fully explained to you by the Acting Treasurer and also perhaps by the members of the Board of Review and Equalization. Every dollar expended can be and will be satisfactorily accounted for. The work has proved to be large and difficult, but it has thus far been done with thoroughness and eminent success. The property of the whole Island will be assessed for taxation more thoroughly and more fairly than ever before. But in order to carry the work through to a final finish with the same thoroughness and fairness, there will be needed a deficiency appropriation of about \$30,000, and I recommend that this amount be appropriated at the earliest opportunity. Apart from the importance

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of this matter in itself, there are other and collateral reasons, which I will not take your time to explain at this moment, why I consider it important that the work should be thoroughly finished and finished at once. We shall need the statistical results, which have been for the first time obtained in this revision, for future legislation.

I recommend also for immediate consideration the reimbursement of the fund known as "Miscellaneous Expenditures, subject to the approval of the Governor," in two items of expenditure recently made from that fund, as follows:

1. For the Bi-Party Commission recently sent to Washington in the interest of the Jones bill, \$1,735.
2. For repairs and enlargement of Police Headquarters in San Juan, made necessary by the transfer to the San Juan School Board of a part of the land and buildings heretofore used by the Police Headquarters, \$5,000.

The first of these items needs no explanation, as it is well understood by every member of both houses of the Legislature. The second item was made urgently necessary by an unforeseen emergency arising from an act of the last session of the Legislative Assembly conveying to the San Juan School Board a lot of land in the rear of the Police Headquarters for school purposes. Perhaps no one at the moment understood accurately where the lines enclosing this conveyance of land would run and how far they would encroach upon the property hitherto set apart for the use of the police. It was found, however, when the lines were run off by the Department of the Interior, that so much was taken from the police that for a time it was feared that the entire "cuartel" would have to be removed to some other place. After careful study and consideration it was found possible to repair and remodel the building on San Francisco Street in such a way as to continue to use it permanently as the Police Headquarters. This will be a permanent improvement and is estimated to cost \$6,000. As the building belongs to the Insular Government and as it is admirably located for the purpose, it is undoubtedly the wisest solution of the problem so suddenly presented.

These reimbursements are requested immediately for the reason that our international relations are so critical that it might become necessary at any moment to make immediate expenditures from this fund for the protection of the people.

I desire now to lay before you for your study the very important problem of the recent rapid increase in the prices of the prime necessi-

ties of life in Porto Rico. I put this problem before you at this moment in a general way, but I hope to be able a little later to recommend to you some definite legislation that may afford relief to the people from this cruel situation. The problem is difficult and perplexing, but the need is urgent. The situation is as follows: For some months there has been a steady and rapid rise in the cost of all the prime necessities of life. This has affected not only those articles of food imported from abroad, the prices of which have been increased by the great world war, but also many indispensable articles of food produced right here in Porto Rico have been greatly increased in price without any apparent reason. Moreover, articles of the most necessary, every-day consumption, such as bread, meat, milk, and vegetables have varied in price very greatly in different parts of the Island. For example, I am informed that bread costs at least twice as much per pound in San Juan as in some of the interior towns of this Island. It seems impossible to account for all of these facts except upon the hypothesis that human greed has entered into this problem and that heartless and unpatriotic men have formed combinations to make unreasonable profits out of the necessities of the people. For months this situation has persisted and the people have protested through the press and in numerous petitions to the Governor and in every way open to them, but there has seemed to be no way to respond to their cry of distress. For weeks the Governor has been consulting with the Attorney General upon this matter; the Fiscals have made investigations and reports, and the District Attorney of the Federal Court has cooperated to see if some remedy may not be found under the laws of Porto Rico and of the United States against monopolies and combinations in restraint of trade. Some evidence has been gathered and prosecutions will be promptly instituted wherever any chance of conviction seems possible. But in addition to these possible legal remedies, which might all fail to reach the evil, the Governor plans to hold some conferences at an early date with those of our people best fitted to give counsel and aid in the hope of formulating some practical legislation for the protection of our people. The results of these efforts will be submitted to your consideration at as early a date as possible.

Meanwhile I invite your study and cooperation as to this important and urgent problem.

ARTHUR YAGER.

GOVERNMENT HOUSE,  
*February 12, 1917.*

PROCLAMATION.

FORE, I, ARTHUR YAGER, Governor of  
ereby publish the said proclamation and  
t observance of its provisions upon all  
or being in Porto Rico whom it may

Y WHEREOF, I have hereunto set my  
d the seal of the Government of Porto  
ed at the City of San Juan this ninth  
e thousand nine hundred and seventeen.

ARTHUR YAGER.

According to law, April 9, 1917.

R. SIACA PACHECO,  
*Executive Secretary.*

GOVERNMENT OF PORTO RICO

OFFICE OF THE EXECUTIVE SECRETARY

SAN JUAN, April 9, 1917.

*Administrative  
Bulletin  
No. 119.*

BY THE GOVERNOR OF PORTO RICO

A PROCLAMATION.

*State of War, Proclamation of, by the President of the  
United States; publishing.*

WHEREAS, The President of the United States did  
on the 6th of April, 1917, issue a proclamation, as  
follows:

“BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

“WHEREAS, The Congress of the United States in the  
exercise of the constitutional authority vested in them  
have resolved, by joint resolution of the Senate and  
House of Representatives, bearing date this day ‘That  
the state of war between the United States and the  
Imperial German Government that has been trust upon  
the United States is hereby formally declared’;

“WHEREAS, It is provided by section 4067 of the  
Revised Statutes as follows:

“Whenever there is a declared war between the United States  
and any foreign nation or Government, or any invasion or preda-  
tory incursion is perpetrated, attempted, or threatened against  
the territory of the United States, by any foreign nation or gov-  
ernment, and the President makes public proclamation of the event,  
all natives, citizens, denizens, or subjects of the hostile nation or  
government, being males of the age of fourteen years and upward,  
who shall be within the United States, and not actually natural-

## PROCLAMATION.

ized, shall be liable to be apprehended, restrained, secured, and removed, as alien enemies. The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject, and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety."

"WHEREAS, By sections 4068, 4069 and 4070, of the Revised Statutes, further provision is made relative to alien enemies:

"NOW, THEREFORE, I, WOODROW WILSON, President of the United States of America, do hereby proclaim to all whom it may concern, that a state of war exists between the United States Government and the Imperial German Government; and I do specially direct all officers, civil or military, of the United States, that they exercise vigilance and zeal in the discharge of the duties incident to such a state of war;

"AND I DO, MOREOVER, earnestly appeal to all American citizens, that they, in loyal devotion to their country, dedicated from its foundation to the principles of liberty and justice, uphold the laws of the land and give undivided and willing support to those measures which may be adopted by the constitutional authorities in prosecuting the war to a successful issue, and in obtaining a secure and just peace.

"And, acting under and by virtue of the authority vested in me by the Constitution of the United States and the said Sections of the Revised Statutes, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States toward all natives, citizens, denizens or subjects of Germany, being males of the age of 14 years and upward, who shall be within the United States and not actually naturalized, who for the purpose of this proclamation and under such sections of the Revised Statutes are termed alien enemies, shall be as follows:

## PROCLAMATION.

"All alien enemies are enjoined to preserve the peace towards the United States and to refrain from crime against the public safety, and from violating the laws of the United States and of the States and Territories thereof, and to refrain from actual hostility or giving information, aid or comfort to the enemies of the United States, and to comply strictly with the regulations which are hereby or which may be from time to time promulgated by the President; and so long as they shall conduct themselves in accordance with law they shall be undisturbed in the peaceful pursuit of their lives and occupations, and be accorded the consideration due to all peaceful and law-abiding persons, except so far as restrictions may be necessary for their own protection and for the safety of the United States; and towards such alien enemies as conduct themselves in accordance with law, all citizens of the United States are enjoined to preserve the peace and to treat them with all such friendliness as may be compatible with loyalty and allegiance to the United States.

"And all alien enemies who fail to conduct themselves as so enjoined, in addition to all other penalties prescribed by law, shall be liable to restraint or to give security or to remove and depart from the United States in the manner prescribed by Sections 4069 and 4070 of the Revised Statutes, and as prescribed in the regulations duly promulgated by the President;

"And pursuant to the authority vested in me I hereby declare and establish the following regulations, which I find necessary in the premises and for the public safety:

"(1) An alien enemy shall not have in his possession, at any time or place, any firearms, weapon or implement of war, or component part thereof, ammunition, Maxim or other silencer, bomb or explosive or material used in the manufacture of explosives;

"(2) An alien enemy shall not have in his possession, at any time or place, or use or operate any aircraft or wireless apparatus, or any form of signaling device or any form of cipher code, or any paper, document or

book written or printed in cipher or in which there may be invisible writing;

"(3) All property found in the possession of an alien enemy in violation of the foregoing regulations shall be subject to seizure by the United States;

"(4) An alien enemy shall not approach or be found within one-half of a mile of any Federal or State fort, camp, arsenal, aircraft station, government or naval vessel, navy yard, factory or workshop for the manufacture of munitions of war or of any products for the use of the army or navy;

"(5) An alien enemy shall not write, print or publish any attack or threats against the Government or Congress of the United States, or either branch thereof, or against the measures or policy of the United States, or against the person or property of any person in the military, naval or civil service of the United States, or of the States or Territories, or of the District of Columbia, or of the municipal governments therein;

"(6) Any alien enemy shall not commit or abet any hostile act against the United States, or give information, aid or comfort to its enemies;

"(7) An alien enemy shall not reside in or continue to reside in, to remain in, or enter any locality which the President may from time to time designate by executive order as a prohibited area in which residence by an alien enemy shall be found by him to constitute a danger to the public peace and safety of the United States, except by permit from the President, and except under such limitations or restrictions as the President may prescribe;

"(8) An alien enemy whom the President shall have reasonable cause to believe to be aiding or about to aid the enemy, or to be at large to the danger of the public peace or safety of the United States, or to have violated or to be about to violate any of these regulations, shall remove to any location designated by the President by executive order, and shall not remove therefrom without a permit, or shall depart from the United States if so required by the President;

"(9) No alien enemy shall depart from the United States until he shall have received such permit as the President shall prescribe, or except under order of a court, judge, or justice under sections 4069 and 4070 of the Revised Statutes;

"(10) No alien enemy shall land in or enter the United States, except under such restrictions and at such places as the President may prescribe;

"(11) If necessary to prevent violations of these regulations all alien enemies will be obliged to register;

"(12) An alien enemy whom there may be reasonable cause to believe to be aiding or about to aid the enemy, or who may be at large to the danger of the public peace or safety, or who violates or attempts to violate, or of whom there is reasonable ground to believe that he is about to violate any regulation duly promulgated by the President, or any criminal law of the United States, or of the States or Territories thereof, will be subject to summary arrest by the United States Marshal, or his deputy, or such other officer as the President shall designate, and to confinement in such penitentiary, prison, jail, military camp, or other place of detention as may be directed by the President.

"This proclamation and the regulations herein contained shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

"IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the City of Washington, this 6th day of April, in the year of our Lord nineteen hundred and seventeen, and of the Independence of the United States the one hundred and forty-first.

[SEAL]

"WOODROW WILSON,

"By the President:

"ROBERT LANSING,  
"Secretary of State."



## PROCLAMATION.

NOW, THEREFORE, I, ARTHUR YAGER, Governor of Porto Rico, do hereby publish the said proclamation and enjoin the strict observance of its provisions upon all persons residing or being in Porto Rico whom it may concern.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the Government of Porto Rico to be affixed at the City of San Juan this ninth day of April, one thousand nine hundred and seventeen.

[SEAL]

ARTHUR YAGER.

Promulgated according to law, April 9, 1917.

R. SIACA PACHECO,  
*Executive Secretary.*

The Filson Historical Society

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# MENSAJE

DEL

GOBERNADOR DE PUERTO RICO

A LA

NOVENA ASAMBLEA LEGISLATIVA

PRIMERA LEGISLATURA, AGOSTO 13, 1917

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# MESSAGE

OF THE

GOVERNOR OF PORTO RICO

TO THE

NINTH LEGISLATIVE ASSEMBLY

FIRST SESSION, AUGUST 13, 1917

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The Filson Historical Society

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MEMORANDUM

FOR THE RECORD

DATE

BY

SAN JUAN, P. R.

BUREAU OF SUPPLIES, PRINTING, AND TRANSPORTATION

1917

The Filson Historical Society

# MENSAJE

DEL

## GOBERNADOR DE PUERTO RICO

A LA

### NOVENA ASAMBLEA LEGISLATIVA

PRIMERA LEGISLATURA, AGOSTO 13, 1917

*Al Senado y  
a la Cámara de Representantes.*

SEÑORES DE LA ASAMBLEA LEGISLATIVA:

**La Evolución de una Asamblea Legislativa.** Cuando el actual Gobernador vino a Puerto Rico en 1913, la Séptima Asamblea Legislativa se hallaba a mediados de su término, y estaba constituida en la forma siguiente:—

La Cámara de Delegados constaba de 27 miembros en el desempeño activo de sus funciones, pertenecientes todos a un partido político, a causa de que los delegados electos de una de las agrupaciones políticas no habían tomado posesión del cargo en dicha Cámara.

El Consejo Ejecutivo se componía de seis jefes americanos de departamento, nombrados por el Presidente de los Estados Unidos, y de cinco miembros puertorriqueños, también designados por el Presidente.

Esta no me pareció a mí una asamblea representativa satisfactoria para un pueblo democrático, e inmediatamente determiné hacer lo que estuviera a mi alcance, a fin de mejorar su carácter representativo. Mi primera gestión se encaminó a ver si yo podía persuadir a todos los miembros que habían sido elegidos a la Cámara de Delegados, a que depusieran toda diferencia de índole política y ocuparan sus puestos durante la segunda legislatura, en vista de la embarazosa crisis económica porque atravesaba el país. Obedeciendo a causas que no disputo, esos caballeros no hallaron medio de atender dicho llamamiento, y por lo tanto fué menester proceder a la segunda legislatura de la Asamblea constituida en la forma antes expresada.

No hay motivos para disculparnos del trabajo llevado a cabo en esa legislatura. Los miembros de la Asamblea hicieron cuanto pudieron y realizaron su obra con éxito.

Sin embargo, cuando la Octava Asamblea se reunió en 1915, la constitución de ambas Cámaras había cambiado radicalmente: (1) Por recomendación del Gobernador, el Presidente había nombrado a dos puertorriqueños más como jefes de departamento, con asiento en el Consejo Ejecutivo, concediéndose de ese modo al pueblo de Puerto Rico una mayoría considerable en esa rama de la Asamblea; (2) el pueblo mismo había elegido para la Cámara de Delegados a un número casi igual de miembros de cada uno de los dos partidos principales. Por lo tanto, dicha Asamblea General tenía en ambas Cámaras una representación del pueblo de la isla mucho mayor que ninguna de las que la habían precedido.

Empero, una de las cámaras todavía era nombrada por el Presidente, y la antigua combinación de funciones ejecutivas y legislativas se perpetuaba aún.

Pero por fin, en el organismo reunido hoy aquí, tenemos una Asamblea Legislativa completamente representativa, compuesta en sus dos cámaras de ciudadanos de la gran nación a la que debemos fidelidad, los cuales han sido elegidos por el pueblo libre de esta bella isla, que tenemos el deber de gobernar.

En nombre de dicho pueblo y en el de la Gran República Americana, deseo dar el más sincero parabién a los primeros Senadores de Puerto Rico. Por mucho tiempo vuestro pueblo ha esperado veros en esta Asamblea. Elevadas esperanzas y ferviente expectación surgen en el corazón del pueblo al contemplaros ocupando vuestros sitios en la Asamblea Legislativa del país, para tomar parte en la preparación de sus leyes. ¡Ojalá vuestra labor se lleve a cabo con tal habilidad y patriotismo, de un modo tan conservador y altruista en pro de los intereses públicos, que esas esperanzas se realicen! ¡Que vuestros procedimientos demuestren tal dignidad y decoro que los historiadores en lo porvenir miren hacia este día como el principio de una gran época en los anales de Puerto Rico!

En esta ocasión, no puedo abstenerme de hacer referencia, en señal de aprecio y respeto, al nombre y a la memoria de un venerado hijo de Puerto Rico que prestó nobles servicios a esta causa, a saber, el Hon. Luis Muñoz Rivera, último Comisionado Residente en Washington. Ninguno de los que vivimos presenciaria este momento con mayor satisfacción que él, ni podría ser tan útil a su patria en este instante crítico. ¡Que todo su pueblo mantenga viva

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**Situación Económica.** Deseo mencionaros el hecho evidente de que la isla en este momento goza de una prosperidad mayor y más generalizada que quizás en ninguna época anterior. Hay mayor actividad en los negocios y menos falta de trabajo entre los obreros en este período del año que tal vez en ningún otro en la historia de la isla.

Las exportaciones son mayores, tanto en volumen como en valor, y hay más abundancia de dinero en circulación, que en cualquier otra época precedente. Merced a las eficaces gestiones de la Comisión de Alimentos y al éxito de nuestros esfuerzos para aumentar la producción local de substancias alimenticias, los precios de muchos de los artículos de primera necesidad para la vida se han mantenido más bajos que en muchos países más extensos y mejor preparados que Puerto Rico para hacer frente a una crisis de esa naturaleza. Estos hechos deben recordarse con los más vivos sentimientos de gratitud hacia Dios por los favores que nos ha otorgado con tanta prodigalidad en una época de tan intensos sufrimientos y tragedias en todo el mundo.

Antes de comenzar a recomendar medidas a vuestra consideración, estimo conveniente llamar la atención hacia el importante cambio en los procedimientos legislativos de esta Asamblea determinado en la nueva Ley Orgánica. Aun cuando la duración máxima de la legislatura ha sido prolongada fundadamente a 90 días, se dispone que todos los proyectos de ley, excepto el de presupuesto, para que haya probabilidad de que se conviertan en leyes, tendrán que ser presentados durante los primeros 40 días de dicha legislatura. Esto precisará que se efectúe una labor muy activa en la primera parte de la legislatura, más bien que en la última como hasta ahora había sucedido. Esos 40 días vencerán a las doce de la noche del día 21 de septiembre, y "ningún proyecto de ley, excepto el de presupuesto general, presentado en cualquiera de las Cámaras de la Asamblea Legislativa después de los primeros cuarenta días de la legislatura, pasará a ser ley."

**Presupuesto General.** El artículo 34 de la Ley Orgánica exige que "el Gobernador someterá, al abrirse cada legislatura ordinaria de la Asamblea Legislativa, un presupuesto de ingresos y gastos, el cual será la base del proyecto de ley de asignaciones para el bienio siguiente."

Ese deber es este año de importancia primordial, a causa de los cambios de gran alcance que se operarán en nuestros ingresos, como



consecuencia de la reciente votación de nuestro pueblo en favor de la prohibición de la fabricación, importación y venta de bebidas alcohólicas.

La voluntad del pueblo sobre esta cuestión se expresó de un modo tan señalado, que no puede haber duda respecto a sus deseos, y su mandato es obligatorio para aquellos que le sirven, incluyendo a la Asamblea Legislativa y al Gobernador.

He preparado el presupuesto, en la parte que comprende los gastos, con toda la economía compatible con los buenos servicios, y haré recomendaciones para lograr aumentos específicos en las contribuciones, al objeto de reponer en parte las rentas que dejarán de ingresar con motivo de la prohibición. Toda vez que el presupuesto para el año de 1917 a 1918 fué aprobado por la última Asamblea Legislativa, el que con este Mensaje se somete abarca solamente el año económico de 1918 a 1919. No se estima necesario hacer cambios en el presupuesto para el año en curso, pues a pesar de que la ley de la prohibición empezará a surtir efecto mucho antes de expirar este año económico, las asignaciones votadas eran tan moderadas que podremos terminar el año sin dificultades económicas. Pero para el año siguiente y los sucesivos tendremos necesidad de proporcionar algunas nuevas formas de contribución en substitución de los arbitrios sobre bebidas alcohólicas.

**Medidas para la Obtención de Rentas.** Es difícil calcular con exactitud el importe total de la renta que el Gobierno Insular dejará de percibir a causa de la enmienda de la prohibición. Es posible que sea, por concepto de derechos de aduanas, patentes y rentas internas, próximamente de un millón y cuarto a un millón y medio de dólares. Probablemente no será preciso intentar ahora reponer todo el importe de las rentas perdidas. Pero a fin de que los servicios públicos no sufran quebranto, es necesario reintegrar la mayor parte de las mismas, y os llamo la atención con empeño hacia este importantísimo deber. A mi juicio, no es oportuno aumentar en la actualidad el tipo de la contribución sobre la propiedad. Justamente este año hemos llevado a la práctica el aumento de la tasación de toda la propiedad de la isla, y debemos, en mi sentir, acudir ahora a otras formas de contribución, con el propósito principal de resolver este urgente problema. Hago pues, las siguientes recomendaciones:

- 1.—Hacer un aumento moderado en la contribución sobre la renta. El Congreso de los Estados Unidos, en el importante proyecto de ley de impuestos de guerra que se está aprobando en este instante

en Washington, excluyó expresamente a Puerto Rico del pago de los fuertes aumentos hechos en la contribución sobre la renta, y de propósito otorgó a la Asamblea Legislativa local poderes para aprobar ella misma una ley de contribución sobre la renta, al objeto de compensar la pérdida inminente de ingresos con motivo de la prohibición. Un muy moderado aumento en esta contribución produciría unos \$300,000, su recaudación no costaría absolutamente nada y se procedería estrictamente de acuerdo con la equidad, pues el peso de dicho aumento recaería sobre los que están en mejores condiciones de sostener el gobierno y son los que reciben una gran proporción de sus beneficios.

2.—Modificar la ley de modo que haga obligatoria la tasación de valores intangibles, incluyéndolos en la lista de bienes sujetos a contribución. La mayor parte de los pueblos modernos, y acaso todos ellos, han empleado este método contributivo en una u otra forma. Los poseedores de créditos hipotecarios y pagarés disfrutaban rentas procedentes de esa clase de propiedad, y en justicia no hay ninguna razón válida por la que no deba imponérsele a dichos valores su correspondiente cuota de contribución, lo mismo que a otros bienes. Se calcula en 20 ó 30 millones de dólares el importe de los valores de ese género que hay en la isla, los cuales pertenecen en gran parte a personas que no residen aquí, y si figuraran en las listas de tasación, producirían al Gobierno un aumento en los ingresos de unos \$200,000 o \$300,000.

3.—Recomiendo asimismo un impuesto sobre entradas a sitios de recreo, tales como teatros, exhibiciones cinematográficas, etc.

A más de estas recomendaciones, someto a vuestra cuidadosa consideración otras fuentes posibles de rentas, que tal vez estiméis conveniente estudiar ahora. Los derechos de rentas internas, que actualmente se imponen sobre muy pocos artículos, podrían hacerse extensivos a otros objetos de lujo, tales como pianos, fonógrafos, sedas, joyas, etc. A los impuestos pagados en sellos podría asimismo dársele mejor alcance, y en particular la ley de estampillas de garantías, en la actualidad extensiva solamente a cigarros, pudiera ser en tal forma aplicada al tabaco en rama despalillado que produjese ingresos y protegiese aún más la reputación del tabaco de Puerto Rico.

También podría imponerse, una contribución adicional sobre toda clase de automóviles, excepto los camiones utilizados para transportar carga y mercancías, sin rebasar los límites que prescribe la moderación en los impuestos.

Deseo asimismo sencillamente mencionar, para que se estudie, la

posibilidad de emprender una revisión completa de todo el sistema de licencias para empresas comerciales en la isla, con la mira tanto de obtener mayor uniformidad entre los municipios como de aumentar las rentas procedentes de esa fuente, en beneficio no sólo del Gobierno insular sino también de los municipios. Este sistema podría comprender también licencias para ejercer profesiones y otras ocupaciones análogas. Al hacerse este estudio, deben celebrarse conferencias y discutirse la cuestión extensamente con los funcionarios municipales.

Algunas o todas estas leyes de rentas públicas, u otras que en vuestra sabiduría aprobéis en substitución de ellas, si se preparan juiciosamente, deben asegurar al Gobierno, con muy poco gravamen para el pueblo, próximamente un millón de dólares de ingresos con que reponer en parte los que ahora se derivan de los derechos sobre bebidas alcohólicas y cuya recaudación costaría muy poco.

**Mejoras del Puerto de San Juan.** El Congreso de Washington ha llegado a un acuerdo sobre el proyecto de Ley de Ríos y Puertos, y ahora parece seguro que al fin lograremos el dragado del puerto de San Juan. Es éste un grande e importante proyecto, por mucho tiempo pensado y deseado. Tal y como se acordó en Washington, dicho proyecto de ley dispone que no se emprenderá aquí la obra hasta que el Gobierno Insular haya aceptado el plan de cooperación por medio del cual se reintegrará al Gobierno Federal alrededor de las dos terceras partes del gasto total incurrido en las operaciones de dragado, como pago por los terrenos pantanosos que se ganarán al mar. Ese reembolso ha de efectuarse en doce plazos anuales consecutivos, montante cada uno a \$50,000, a contar desde la fecha en que los trabajos queden completamente terminados y los pantanos se hayan rellenado en una altura de seis pies sobre el nivel de pleamar. Este arreglo debiera ser prontamente aceptado, con la mayor satisfacción, por el Gobierno de Puerto Rico, y recomiendo que los pagos antes descritos sean autorizados por esta Asamblea Legislativa, de suerte que no haya demora en la inauguración de dicha mejora. Son muy grandes las ventajas, aún las accesorias, que proporciona este proyecto, duplicando el área de mayor profundidad de nuestro puerto y mejorando la salud y comodidad del pueblo mediante la eliminación de pantanos que constituyen criaderos de mosquitos y focos de fiebres; pero no es por esas ventajas accesorias que se le pide al pueblo de Puerto Rico que pague, sino por la directa y tangible de la creación, para beneficio del Gobierno, de cientos de acres de valiosos terrenos, situados precisamente en los barrios de Puerta de Tierra y Santurce, que tendrán, mucho antes de haberse hecho todos los pagos, un valor

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pleta de todo el sistema a isla, con la mira tanto municipios como de aumentar el fisco no sólo del Gobierno. Este sistema podría comprender profesiones y otras ocupaciones celebrarse conferencias con funcionarios municipales. as, u otras que en vuestra si se preparan juiciosamente y poco gravamen para res de ingresos con que le los derechos sobre be muy poco.

ha llegado a un acuerdo Río y Puertos, y ahora haremos el dragado del importante proyecto, por como se acordó en Wáshington se emprenderá aquí aceptado el plan de cooperación Federal alrededor ocurrido en las operaciones pantanosos que se ganarán doce plazos anuales contar desde la fecha en ganados y los pantanos se bre el nivel de pleamar. do, con la mayor satisfacción que los pagos Asamblea Legislativa, de 1 de dicha mejora. Son s, que proporciona esta didad de nuestro puerto mediante la eliminación quitos y focos de fiebres; se le pide al pueblo de tangible de la creación, res de valiosos terrenos, a de Tierra y Santurce, dos los pagos, un valor

en el mercado para fines comerciales y urbanos mucho mayor que el importe total del reembolso. El área total de terrenos que han de ganarse al mar se calcula en más de 1,500,000 metros cuadrados, divididos en tres predios, como a continuación se expresa: (1) 240,000 metros cuadrados en Puerta de Tierra, que se extienden a lo largo de la orilla norte del canal de San Antonio, desde la planta de la Porto Rico Coal Co. hasta el puente de San Antonio; (2) 750,000 metros cuadrados en Isla Grande, desde el puente a un punto al lado opuesto del muelle de San Antonio, y (3) los terrenos pantanosos en las inmediaciones de las partes oeste y sur de Santurce, los cuales se calculan en 500,000 metros cuadrados. Estos terrenos ganados al mar estarán radicados precisamente en la ciudad, entre la parte que da a la habia y las zonas ya urbanizadas, y parece haber poca duda de que relativamente dentro de breves años todos dichos terrenos podrían hallar venta en el mercado si el Gobierno optara por venderlos a precios que fluctuasen entre uno y cinco dólares por metro cuadrado.

**Hotel para Turistas.**

En relación con esto, deseo manifestaros que el hotel en San Juan para turistas que vengan a Puerto Rico, por tanto tiempo discutido y deseado, parece estar definitivamente asegurado. El sitio y los planos han sido elegidos, el contrato se ha adjudicado y ya han empezado los trabajos de construcción. Las ventajas que proporciona ese hotel han sido tan generalmente reconocidas que la Asamblea Legislativa en 1910 y 1912 ofreció importantes concesiones, tanto de terrenos como de dinero, a cualquier compañía que construyese y sostuviese un hotel de esa clase en San Juan. Si antes de concluir esta legislatura quedase finalmente resuelta esta cuestión, recomiendo que se deroguen los artículos 3, 4, 5 y 6 de la Ley No. 69 de 1910 y toda la Ley No. 43 de 1912, que se relacionan con la adquisición de un hotel para turistas.

**Reforma del Sistema de Gobierno Municipal.**

Deseo de nuevo llamaros la atención hacia la cuestión de la reforma del sistema de gobierno municipal. Esta reforma ha sido muy discutida y por mucho tiempo tenida en proyecto por anteriores Asambleas Legislativas. La Comisión Económica recibió instrucciones de la de 1916, de hacer un estudio de toda dicha cuestión y de presentar un informe al Gobernador a fines de ese año, pero circunstancias inesperadas impidieron la realización de la obra, y no se ha emitido ningún informe. Tengo entendido, sin embargo, que el Hon. Presidente de la mencionada Comisión reunió muchos datos valiosos relativos a los asuntos de los municipios y sus necesidades administrativas, los cuales estoy seguro él suministrará a cualesquiera comi-

siones que en cumplimiento de instrucciones vuestras comiencen el estudio de esta importante cuestión.

La mayoría de los municipios necesitan un gobierno más sencillo y menos costoso que el que ahora tienen, y estoy convencido de que el pueblo vería con gusto cualquier gestión formal encaminada a hacer frente a esa necesidad y a mejorar en otros aspectos la administración local, especialmente por lo que hace a la salud pública y hacienda municipal.

**Sistema Judicial.** Nuestro sistema judicial se halla en una situación algo embarazosa, a causa de las recientes decisiones de los tribunales locales, en el sentido de que, con la aprobación de la Ley Jones, Puerto Rico ha quedado convertido en un territorio debidamente incorporado a los Estados Unidos, y podría ser necesario verificar algunos cambios radicales en los procedimientos de dichos tribunales. Sin embargo, creo que será prudente aguardar el fallo final del Tribunal Supremo de los Estados Unidos respecto de esta cuestión, antes de aprobar definitivamente leyes sobre un asunto tan importante. La creencia es que el Tribunal Supremo de Washington emitirá su decisión en fecha próxima.

**Departamento de Agricultura y Trabajo.** Os recomiendo que prestéis la más cuidadosa atención al nuevo Departamento de Agricultura y Trabajo. A mi juicio, éste con el tiempo llegará a ser uno de los más importantes y útiles del Gobierno, siempre que se le proporcione ayuda razonable y se le encamine debidamente. Nuestra producción agrícola puede aumentarse grandemente, y la isla hacerse, de un modo apreciable, económicamente independiente de otros países, mediante esfuerzos inteligentes por parte del pueblo, bajo la dirección del Departamento de Agricultura y Trabajo. Debemos tener constantemente presente el hecho de que la inmensa mayoría de los habitantes de Puerto Rico son agricultores y obreros, y el Gobierno debe hacer todo lo posible para mejorar su situación.

El Departamento de Agricultura de Washington ha enviado a Puerto Rico un competente selvicultor, a fin de que se haga cargo del desarrollo de la Reserva Forestal Nacional de Luquillo. Esto nos permitirá obtener la ayuda y los consejos de un perito, al empezar nuestra propia obra de selvicultura en otras partes de la isla. La resolución de este problema es sumamente importante y urgente. Desde el punto de vista de la necesidad que hay de madera para combustible y construcciones baratas, y por motivos relacionados con sus aguas pluviales, clima y belleza panorámica, puede decirse, sin

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 destrucción de sus arboledas.

**Condiciones de Vivienda.** Con respecto a legislación obrera, deseo hacer otra  
 vez referencia a la cuestión de mejorar las condicio-  
 nes de vivienda de los pobres en toda la isla y espe-  
 cialmente en los distritos excesivamente poblados de las ciudades,  
 entre los cuales sobresale Puerta de Tierra, barrio a que se hizo  
 mención en mi segundo mensaje durante la última legislatura.

Abrigo asimismo la esperanza de que vosotros podréis hallar al-  
 gún medio de vigorizar la Ley creando la Comisión de Hogares  
 Seguros, que se aprobó hace dos años, pero que todavía no ha pro-  
 ducido ningún resultado, quizás por falta de una asignación sufi-  
 ciente de fondos.

**Comisión de Servicio Público.** Es muy importante que se apruebe una ley  
 para reglamentar los precios, tarifas y servicio  
 de los portadores públicos por ferrocarril en  
 Puerto Rico, así como las demás cuestiones relativas a franquicias.  
 La Comisión de Servicio Público estará casi desprovista de facultad  
 en relación con algunos asuntos importantes, a no ser que la Asam-  
 blea Legislativa tome acuerdo sobre el particular.

**Fabricación y Venta de Alcohol.** También es importante que esta Asamblea Le-  
 gislativa decreta una ley para reglamentar la  
 manufactura y venta de alcohol para usos medi-  
 cinales, sacramentales, industriales y científicos. Es posible que tenga  
 un gran consumo el alcohol que se fabrique para utilizarlo como  
 combustible de guerra y para fines industriales, y esa fabricación  
 debe fomentarse y reglamentarse por ley.

**Bancos y Leyes de Sanidad.** Recomiendo asimismo la aprobación de la Ley  
 de Bancos propuesta y perfeccionada hace uno o  
 dos años por el Consejo Ejecutivo.

Deseo recomendar, además, que se enmiende la Ley de Sanidad  
 de 12 de marzo de 1912 de modo que otorgue al Comisionado de  
 Sanidad y al Gobernador la facultad que ahora tiene el Consejo  
 Ejecutivo, de aprobar, antes de su promulgación, las reglas y regla-  
 mentos preparados por la Junta de Sanidad. Dicha ley debe tam-  
 bién modificarse en tal forma que disponga que con anterioridad a  
 la adopción definitiva de esas reglas y reglamentos por la Junta de  
 Sanidad, ésta los publique y celebre audiencias públicas.

Es también necesario proveer algún método legal para arrendar



los terrenos públicos y hacer empréstitos a los municipios sin la intervención del Consejo Ejecutivo, que ha dejado de existir.

**Ley Electoral.** Finalmente os propongo la conveniencia de llevar a cabo una revisión completa de nuestra ley electoral en sus disposiciones generales y al objeto de hacerla corresponder a las necesidades del pueblo demostradas por la experiencia.

En conclusión, permitidme que de nuevo exprese mi confianza en el resultado de vuestra labor y mi firme propósito de cooperar con vosotros y ayudaros con todos los medios a mi alcance.

CASA DEL GOBIERNO,

Agosto 13, 1917.



The Filson Historical Society

**MESSAGE**  
OF THE  
**GOVERNOR OF PORTO RICO**  
TO THE  
**NINTH LEGISLATIVE ASSEMBLY**

FIRST SESSION, AUGUST 13, 1917

*To the Senate and the  
House of Representatives.*

GENTLEMEN OF THE LEGISLATURE:

**The Evolution of a Legislature.** When the present Governor came to Porto Rico in 1913, the Seventh Legislative Assembly was in the middle of its term. It was composed as follows:

The House of Delegates consisted of 27 working members all of one party, due to the fact that the elected delegates of one of the parties had not taken their seats in the House.

The Executive Council was composed of six American heads of departments appointed by the President of the United States and five Porto Rican members also appointed by the President.

This did not seem to me a satisfactory representative legislature for a democratic people, and I immediately resolved to do whatever I could to improve its representative character. My first step was to see if I could not persuade all of the members who had been elected to seats in the House of Delegates to put aside all differences of a political nature and take their seats for the second session in view of the financial crisis under which the country was laboring. From motives that I do not question, these gentlemen did not see their way to respond to this appeal, and therefore it was necessary to go ahead with the second session of the Assembly constituted as above explained.

There is no reason to apologize for the work of this session. The members did their best and they did well.

When the Eighth Assembly met, however, in 1915, the constitution of both houses had been radically changed: (1) Upon recommendation of the Governor, the President had appointed two more Porto Ricans as heads of departments with seats in the Executive Council, thereby giving to the Porto Rican people a comfortable majority in this branch of the Assembly; (2) as members of the House of Delegates, the people themselves had elected almost an equal number from both the large parties. This General Assembly was therefore in both houses far more representative of the people of the Island than any that had preceded it.

However, one house was still appointed by the President, and the old combination of executive and legislative functions was still perpetuated.

But at last, in this body assembled here to-day, we have a completely representative Legislature, composed in both branches of citizens of the great nation to which we all owe allegiance, who have been elected by the free people of this beautiful Island which it is our duty to govern.

In the name of this people and in the name of the Great American Republic I desire to extend a most cordial greeting to the first Senators of Porto Rico. Long have your people looked forward to your appearance in this body. High hopes and ardent expectations spring up in the hearts of the people as they behold you sitting in their Legislature to take part in the shaping of their laws. May your labors be performed with such ability and patriotism, with such conservatism and unselfish devotion to the public interest that all these hopes will be realized. May your procedure be marked with such dignity and decorum that the historians of the future will look back upon this day as the beginning of a great epoch in the annals of Porto Rico!

At this moment I cannot refrain from referring with appreciation and respect to the name and memory of an honored son of Porto Rico who rendered noble service in this cause, namely the Hon. Luis Muñoz Rivera—late Resident Commissioner at Washington. There is no one living who would witness this occasion with more satisfaction than he and no one who could be so useful to his country in this crisis. May all of his people cherish his memory and emulate his courage and sincerity, his patriotism and self-sacrifice in the service of his country.

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**Economic Conditions.** I wish to mention to you the obvious fact that this island is at this moment more generally prosperous than perhaps ever before. There is greater activity in business and less unemployment among the workers at this season of the year than perhaps ever before in the history of the island.

The exports are greater both in volume and value, and there is a greater abundance of money in circulation than ever before. Due to the efficient activities of our Food Commission and to the success of our efforts to increase the local production of foodstuffs, the prices of many of the prime necessities of life have been kept lower than in many larger countries that are better prepared for such a crisis than Porto Rico. These facts should be recalled with the most vivid feelings of gratitude to God who has so richly blessed us in a time of such intense suffering and tragedy throughout the world.

Before beginning my recommendations of measures for your consideration, I think it advisable to call attention to the important change in the procedure of this legislature embodied in the new organic act. While the maximum length of the session is properly extended to 90 days, it is provided that all bills except the budget must be introduced in the first 40 days of the session if they are to have a chance to be enacted into law. This will make it necessary that very active work be done in the first part of the session rather than in the last part as heretofore. These 40 days will expire at midnight September 21, and "no bill, except the budget, introduced in either house of the Legislature after the first forty days of the session shall become a law."

**Budget.** Section 34 of the organic act requires that "the governor shall submit at the opening of each regular session of the legislature a budget of receipts and expenditures, which shall be the basis of the ensuing biennial appropriation bill."

This duty is of paramount importance this year because of the far-reaching changes that will take place in our income as a result of the recent vote of our people approving the prohibition of the manufacture, importation and sale of alcoholic beverages.

The expression of the will of the people on this subject was so pronounced that there can be no doubt as to their desires, and their mandate is binding upon all those who serve them including the legislature and the governor.

I have shaped the budget on the side of expenditures as economically as is compatible with good service and shall make recommendations for specific increases in taxation to replace in part the re-

ceipts lost through prohibition. Inasmuch as the budget for 1917-18 was passed by the last legislative assembly, the budget herewith submitted covers the fiscal year 1918-19 only. It is not thought necessary to make any changes in the budget for the current year, for although the prohibition law will take effect long before the expiration of this fiscal year, the appropriations were so conservative that we shall be able to finish the year without embarrassment. But for the following year and future years we shall need to substitute for the taxes on alcoholic beverages some new forms of taxation.

**Revenue Measures.** It is difficult to estimate with accuracy the amount of the income that will be lost to the insular government through the prohibition amendment. It will probably aggregate in customs, licenses and internal revenue taxes somewhere from a million and a quarter to a million and a half dollars. Probably it will not be necessary at this time to attempt to replace the entire amount of lost revenues. But in order to maintain unimpaired the public services it is necessary to replace the major part of them and I urge upon your attention this most important duty. In my judgment it is not opportune to increase at present the rate of taxation upon property. We have just this year entered upon the operation of our increased assessments of the entire property of the island, and in my judgment we should now resort to other forms of taxation in the main to meet the present emergency. I recommend therefore the following:—

1.—A moderate increase in the income tax. The Congress of the United States in the great war revenue law now just passing at Washington expressly excluded Porto Rico from the operation of the drastic increases in the income tax and expressly empowered the local legislature to pass an income tax law of its own to replace the losses impending from prohibition. A very moderate increase in this tax would yield some \$300,000, would cost nothing whatever to collect and would closely conform to justice, because it would place the burden upon those most able to support the government and who receive a large share of its benefits.

2.—A modification of the law so as to compel the assessment of intangible assets in the list of property to be taxed. Most if not all modern communities have employed in some form or degree this method of taxation. The owners of mortgages and notes enjoy an income from this form of property, and there is no good reason in justice why it should not bear its fair share of taxation like other property. It is estimated that there is in the island some 20 or 30 millions of dollars of this kind of property, much of it owned

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by nonresidents, and if placed upon the assessment rolls, it would  
yield an increased income to the government of some \$200,000 or  
\$300,000.

3.—I recommend also a tax upon admissions to the places of amuse-  
ment, such as theatres, cinematograph exhibitions, etc.

In addition to these recommendations, I suggest for your careful  
consideration some other possible sources of revenue that you may  
find convenient to study at this time: The internal-revenue taxes,  
which at present apply to very few articles, might be extended so as  
to include other articles of luxury, such as pianos, phonographs,  
silks, jewelry, etc. The stamp taxes might also be extended, and  
particularly the guarantee-stamp law now applicable to cigars only,  
might be applied to stripped leaf tobacco in such a way as to yield  
a revenue and at the same time safeguard still further the reputation  
of Porto Rican tobacco.

An additional tax might also be imposed upon all classes of auto-  
mobiles except trucks engaged in transportation of freight and mer-  
chandise without transcending the limits of reasonable taxation.

I desire also simply to mention for study the possibility of under-  
taking a complete revision of the entire system of licenses for busi-  
ness enterprises throughout the whole island with a view to securing  
greater uniformity among the municipalities as well as increasing  
the revenues from this source not only for the insular government  
but also for the municipalities. This system might also include  
professional licenses as well as other similar occupations. In prose-  
cuting this study complete conference and discussion should be sought  
with the municipal officials.

These revenue laws, some or all of them, or others that you may  
in your wisdom substitute, if judiciously framed should assure to  
the government, with very little burden upon the people, something  
near one million dollars of revenues in partial replacement of those  
now received from taxes on alcoholic beverages and they would cost  
very little to collect.

#### Improvements San Juan Harbor.

The Congress at Washington has agreed upon  
the Rivers and Harbors bill, and it now seems  
certain that at last we shall secure the dredg-  
ing of San Juan harbor. This is a great and important project  
long planned and long desired. As agreed upon at Washington,  
the bill provides that the work shall not be undertaken here until  
the Insular Government shall have accepted the plan of cooperation  
whereby the Federal Government will be reimbursed for about two-

thirds of the total expense of the dredging operations in payment for the swamp lands to be reclaimed. This reimbursement is to be spread out over a series of twelve years at the rate of \$50,000 a year beginning after the works shall have been fully completed and the swamps actually filled to a height of six feet above high tide. This arrangement should be promptly accepted with the greatest satisfaction by the Government of Porto Rico, and I recommend that the payments as explained above be authorized by this legislature so that there will be no delay in the inauguration of the improvement. Even the incidental advantages of this project in doubling the deep water area of our harbor and improving the health and comfort of the people by eliminating the mosquito and fever-breeding swamps are simply immense; but it is not for these incidental advantages that the Insular Government is asked to pay, but for the direct and tangible advantage of creating for the benefit of the government hundreds of acres of valuable land right in the *barrios* of Puerta de Tierra and Santurce which, long before all of the payments have been made, will almost certainly have a market value for business and residence purposes far in excess of the entire amount of the reimbursements. The estimated area of the land to be reclaimed totals more than 1,500,000 square meters, divided into three tracts, as follows: (1) in Puerta de Tierra extending along the north shore of San Antonio channel from the plant of the Porto Rico Coal Co. to San Antonio bridge, 240,000 square meters; (2) Isla Grande from the bridge to a point opposite San Antonio dock, 750,000 square meters; (3) the swamp lands around the west and south sides of Santurce, estimated at about 500,000 square meters. These reclaimed lands are right in the city lying between the water front and areas already built up, and there seems little doubt that within a comparatively few years all these lands could find a market if the government chose to sell them at prices of one to five dollars per square meter.

**Tourist Hotel.** In this connection I desire to bring to your notice that the much-discussed and long-desired tourist hotel for Porto Rico at San Juan seems definitely assured. The site and plans have been selected, contract let and the work of construction actually begun. The advantages of such a hotel have been so generally recognized that the legislative assembly in 1910 and in 1912 offered important concessions in both lands and money to any company that would construct and operate a hotel of this sort in San Juan. If it turns out that this matter has been definitely assured

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before your adjournment, I recommend that Sections 3, 4, 5 and 6 of Act No. 69, 1910, and the whole of Act No. 43, 1912, which relate to securing a tourist hotel, be repealed.

**Municipal Government Reform.** I wish to bring to your attention again the subject of the reform in municipal government. This has been much discussed and long contemplated by previous legislatures. The Economy Commission was instructed by the legislative assembly in 1916 to make a study of this whole subject and make a report to the governor by the end of that year, but this was prevented by unforeseen circumstances and no report has been made. But the Honorable Chairman of that Commission collected, I understand, much valuable data with reference to the affairs of the municipalities and their administrative needs which I am sure he will turn over to any committees which by your direction may undertake the study of this important subject.

Most of the municipalities need a simpler and less expensive government than they now have, and I am sure that the people would welcome any serious effort to meet this need and in other ways improve the local administration, especially in matters relating to public health and finance.

**The Judiciary.** Our judicial system has been placed in a position of some difficulty by the recent decisions of our local courts that Porto Rico has been made a regular incorporated territory of the United States by the passage of the Jones Bill, and it may become necessary to make some radical changes in the procedure of the courts. I think, however, it will be wise to await the final decision of the Supreme Court of the United States upon this question before finally passing any laws upon so important a subject. It is believed that the Supreme Court at Washington will render their decision at an early date.

**Department of Agriculture and Labor.** I recommend to your most careful attention the new Department of Agriculture and Labor. In my judgment this will sometime become one of the most important and useful departments of the government, if only it is given reasonable support and proper direction. Our agricultural production can be greatly increased and the economic dependence of the island upon other lands appreciably decreased by intelligent effort on the part of the people under the leadership of the Department of Agriculture and Labor. We should keep constantly in mind that the overwhelming majority of the people of Porto Rico



are agriculturists and laborers, and everything possible should be done by the government to improve their condition.

The Department of Agriculture at Washington has sent to Porto Rico a capable forester to take up the work of development of the National Forest Reservation at Luquillo. This will enable us to secure the aid and advice of an expert in beginning our own forest work in other parts of the island. The need is tremendous and urgent. From the point of view of wood for fuel and for cheap construction, and for reasons connected with rainfall, climate and scenic beauty, it is hardly too much to say that Porto Rico has almost committed suicide in allowing the destruction of her trees.

**Housing Conditions.** In the matter of labor legislation, I wish to refer again to the matter of improving the housing conditions of the poor all over the island and especially in the congested districts of the cities, notably in Puerta de Tierra which was mentioned in my second message to the last legislature.

I hope also that you gentlemen might discover some way of injecting life into the Homestead-Commission law passed two years ago, but as yet unproductive of results, perhaps from lack of a sufficient appropriation.

**Public Service Commission.** It is very important that a law be passed to regulate the rates, tariffs and service of public carriers by rail in Porto Rico and other matters relating to franchises. The Public Service Commission will be practically without power in some important respects unless the legislature deals with this subject.

**Manufacture and Sale of Alcohol.** It is also important that this legislature enact a law for the regulation of the manufacture and sale of alcohol for medicinal, sacramental, industrial and scientific uses. It is possible that large use may be found for alcohol manufactured for fuel, for war and for industrial purposes, and this should be encouraged and regulated by law.

**Banking and Sanitation Laws.** I recommend also the passage of the Banking Law proposed and perfected a year or two ago by the Executive Council.

I would moreover recommend that the Sanitation Act of March 12, 1912, be so amended as to give the Commissioner of Health and the Governor the power now held by the Executive Council of approving Sanitary Rules and Regulations prepared by the Board of Health before its promulgation.

Said Act should also be amended so as to provide for publication

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in advance of such rules and regulations by the Board of Health  
and for the holding of public hearings prior to its final adoption  
by the Board.

It is necessary also to provide some legal method of leasing the  
public lands and making loans to the municipalities without the  
intervention of the Executive Council which has ceased to exist.

Lastly I suggest to you the propriety of a com-  
**Election Law.** plete revision of our election law as a whole and  
with a view to making it correspond to the needs of the people as  
shown by experience.

In conclusion let me express again my confidence in the good  
results of your labors and my earnest desire to cooperate with you  
and assist you in every way in my power.

GOVERNMENT HOUSE,

August 13, 1917.



The Filson Historical Society

Passed  
by Leg. of  
P.R.  
The Governor is now  
sitting for  
his portrait.

[J. R. No. 6.]

JOINT RESOLUTION

PROVIDING FOR THE ACQUISITION OF A PAINTING OF GOVERNOR ARTHUR YAGER FOR THE PORTRAIT GALLERY OF THE EXECUTIVE MANSION.

WHEREAS, The portraits of all military and civil governors of Porto Rico, from the time of the change in nationality, adorn the walls of the Executive Mansion;

WHEREAS, Governor Arthur Yager, since his appointment to office, has endeavored with the greatest perseverance and enthusiasm to obtain from the National powers a form of government for Porto Rico more in harmony with the wishes and aspirations of all Porto Ricans;

WHEREAS, His constant efforts in that sense culminated in the recent passage by Congress and approval by the President of the United States of a new Organic Act for Porto Rico, which has been received with the greatest joy throughout the country and has confirmed our faith in the sentiments of justice of the noble American people;

WHEREAS, For said reasons Governor Yager's portrait is unquestionably entitled to occupy a place of privilege and honor in the portrait gallery of the Executive Mansion, and the Legislative Assembly, representing the people of Porto Rico and as just homage to the distinguished Governor, should provide the necessary means to this end, placing the same at the Governor's disposal, so that he himself may obtain, to his entire satisfaction, an oil painting of himself for the Executive Mansion;

NOW, THEREFORE, *Be it enacted by the Legislative Assembly of Porto Rico:*

Section 1.—That from any funds in the Insular Treasury not otherwise appropriated, there is hereby set aside the sum of \$1,000, or such part thereof as may be necessary, which sum shall be expended by the Governor in the acquisition of an oil painting of himself for the portrait gallery of the Executive Mansion.

Section 2.—That this Act shall take effect immediately after its approval.

*Approved, April 12, 1917.*

86 X 11

*Law passed  
by the P. R.  
Legislature.*

[J. R. No. 10.]

JOINT RESOLUTION

AUTHORIZING THE GOVERNOR OF PORTO RICO TO BORROW ONE MILLION DOLLARS FOR THE PURPOSE OF PROVIDING FOR THE SUSTENANCE OF THE INHABITANTS OF PORTO RICO DURING THE PERIOD OF THE WAR; CREATING A FOOD COMMISSION TO CARRY OUT THE PROVISIONS OF THIS ACT, AND FOR OTHER PURPOSES.

WHEREAS, The Congress of the United States has declared that a state of war exists between Germany and the United States;

WHEREAS, Such state of war deeply affects the financial interests of Porto Rico;

WHEREAS, The Island depends chiefly for subsistence on importations by sea;

WHEREAS, Because of said state of war it is possible that the number of ships devoted to traffic with Porto Rico may diminish;

WHEREAS, The quantity of provisions existing in Porto Rico may be estimated to suffice scarcely for one month;

NOW, THEREFORE, *Be it enacted by the Legislative Assembly of Porto Rico:*

Section 1.—That the Governor of Porto Rico is hereby authorized and empowered to borrow one million dollars, or so much thereof as may be necessary, for a term not to exceed three years, which shall be used for any or all of the purposes provided for in this Act, either by a contract entered into by him on behalf of The People of Porto Rico with such banking institution as may offer the best terms at a rate of interest not to exceed six per cent per year, or by the issuance of notes or bonds of The People of Porto Rico. In case bonds are issued they may be in coupon form or registered form, or both. The coupon bonds, if any, may be exchangeable for registered bonds under such regulations as may be prescribed thereon. The bonds may be in any or all of the denominations of one thousand dollars (\$1,000) or five thousand dollars (\$5,000) or ten thousand dollars (\$10,000). They shall bear such date as the Governor may determine and shall bear interest at a rate not to exceed six per cent per annum, which interest shall be payable semiannually on the first day of each January and July. Both principal and interest shall be pay-

able at the Treasury of the United States and at the office of the Treasurer of Porto Rico, in gold coin of the United States of the present standard of weight and fineness. The notes or bonds shall be exempt from the payment of taxes of any kind whatsoever of the Government of Porto Rico or of any local authority therein. For the payment of the interest on said notes or bonds as it falls due and for the payment of the principal, the good faith of The People of Porto Rico is hereby irrevocably pledged. Said notes or bonds may be sold by the Secretary of War of the United States or by the Treasurer of Porto Rico, and the proceeds from the sales shall be deposited with an authorized depository of the Government of Porto Rico to be designated by the Treasurer of Porto Rico. All details with regard to the issuance and sale of said bonds not herein provided for shall be determined upon and carried out by the Governor of Porto Rico.

Section 2.—The Governor of Porto Rico shall appoint a commission of five men, not more than two of whom shall be of the same political party, to be called the "Food Commission," to carry out the provisions of this Act, which commission shall act under his direction and control.

Section 3.—The Food Commission shall have the following powers:

1. It may purchase such articles of food as are necessary for the sustenance of the inhabitants of Porto Rico, preference to be given to articles of prime necessity such as fuel, beans, rice, flour, codfish, lard, pork and condensed milk.

2. It may sell articles of food at reasonable prices to such merchants as bind themselves to retail them to the public at prices not to exceed those fixed by the commission, under such rules and regulations as may be determined by the commission.

3. It shall have power to create and operate establishments for the sale at retail of all or any articles of food, and employ such persons as may be necessary for that purpose. Such establishments shall be created first in the communities where, in the opinion of the commission, the needs are the greatest.

4. It shall have the power to investigate the prices at which all articles of food are sold or purchased by private dealers, producers and consumers, and for that purpose the books of all dealers and producers shall be open to their inspection, and, if necessary, the commission may issue subpoenas for the attendance of witnesses or for the production of books or other documents, and shall have the power to take testimony under oath. All information obtained as the result of such investigations shall be confidential in so far as not inconsistent with the purposes for which it is obtained. Any per-

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son refusing to testify or to produce such books or documents shall be guilty of a misdemeanor.

5. It shall have the power to determine the prices at which all articles of food may be sold by private parties, in which case a reasonable margin of profit shall be allowed, and shall have the power to determine the quantities which may be sold to any person or persons and the manner of checking such sales. Any person selling articles of food above the rate determined by the commission, or in quantities or to persons prohibited by the commission, shall be punished for each offense by a fine of not more than \$1,000 or imprisonment for not more than two months.

6. It shall have power to take over the stock of any or all dealers, producers or growers by paying them the reasonable value thereof, but stock of merchants who have agreed to sell at prices and in quantities and to persons in the manner determined by the commission shall not be taken over. In case any dealer or producer whose stock is taken over shall object to the value determined by the commission, his stock may nevertheless be taken over, but he shall have the power to appeal to the district court of the district in which his business is located within ten days after he is notified of the value assessed, and in such case the procedure shall be the same as that provided for actions to recover taxes paid under protest.

7. It shall have power to provide for the transportation of, or to transport to Porto Rico, food, whether purchased by it or by private parties, and by any means whatsoever.

8. In case of necessity it shall recommend to the Governor that he request the War Department of the United States to detail a Navy transport or other vessel for the transportation of food to Porto Rico and may make whatever arrangements in regard thereto which may be necessary.

9. It shall have power to take whatever measures it may deem necessary with regard to the planting and growing of food products for use during the period of the war and for such time thereafter as may be necessary, including the power to purchase seed and roots and to plant and cultivate them on lands belonging to The People of Porto Rico or any municipality thereof, to rent or condemn the lands of private persons for such purpose and for such period of time as may be necessary, provided that the use of such private lands cannot be otherwise obtained. It shall have the power to distribute the products thereof in the manner provided for food purchased by it.

10. It shall have power to take whatever measures may be necessary to carry out the provisions of this Act, and to employ such persons as may be necessary for that purpose, and, with the approval of the Governor, to determine the salaries of such persons.

Section 4.—The powers herein granted the Food Commission are several and independent, and the Food Commission may, in its discretion, exercise any or all of them subject to disapproval by the Governor.

Section 5.—The loan provided for herein and the interest thereon shall be paid from any available funds coming into the hands of the commission, and should these be insufficient, from any funds in the Insular Treasury.

Section 6.—The sum of five thousand dollars or so much thereof as may be necessary is hereby appropriated out of any funds available in the Insular Treasury to carry out the provisions of this Act, to be refunded to the Treasury out of the proceeds of the loan.

Section 7.—This Act shall take effect immediately because of the urgent need of having its provisions immediately complied with.

Section 8.—All laws or parts of laws in conflict herewith are hereby repealed.

*Approved, April 12, 1917.*

The Filson Historical Society

PROCLAMA.

POR TANTO, YO, ARTHUR YAGER, Gobernador de Puerto Rico, publico dicha proclama y recomiendo vivamente a todas las autoridades Insulares y Municipales que adopten las medidas que fueren necesarias para fijarla al público o para traerla en cualquier otra forma a la atención de los habitantes de Puerto Rico, a fin de que se abstengan de cometer ninguno de los actos de traición en ella mencionados.

EN TESTIMONIO DE LO CUAL, he firmado la presente y ordenado se estampe en ella el sello de "El Pueblo de Puerto Rico," en la ciudad de San Juan, hoy, treinta de abril de mil novecientos diez y siete.

[SELLO]

ARTHUR YAGER.

Promulgada de acuerdo con la ley, en 30 de abril de 1917.

R. SIACA PACHECO,  
*Secretario Ejecutivo.*

GOBIERNO DE PUERTO RICO  
OFICINA DEL SECRETARIO EJECUTIVO.

SAN JUAN, P. R., 30 de abril de 1917.

*Boletín  
Administrativo  
No. 122.*

PROCLAMA

DEL GOBERNADOR DE PUERTO RICO.

*Traición, Publicación de una proclama del Presidente de los Estados Unidos sobre el delito de.*

POR CUANTO, el Presidente de los Estados Unidos expidió una proclama el día 16 de abril de 1917 en los términos siguientes:

“PROCLAMA DEL PRESIDENTE DE LOS ESTADOS UNIDOS DE AMÉRICA.

“POR CUANTO, se debe informar a todos los que residen o se hallen en los Estados Unidos, bien sean ciudadanos o extranjeros, de las penas en que incurrirán cuando dejaren en cualquier forma de guardar verdadera lealtad a los Estados Unidos;

“POR TANTO, YO, WOODROW WILSON, Presidente de los Estados Unidos, expido la presente proclama, a fin de llamar atención especial hacia las siguientes disposiciones de la Constitución y de las Leyes de los Estados Unidos:

“Por la Sección 3 del Artículo III de la Constitución, se provee, entre otras cosas, lo siguiente:

“La traición contra los Estados Unidos consistirá únicamente en hacer la guerra contra ellos, o en unirse a sus enemigos, prestándoles ayuda y auxilio.



“El Código Criminal de los Estados Unidos dispone lo siguiente:

“Artículo 1.—Es reo de traición cualquiera que deba fidelidad a los Estados Unidos e hiciere la guerra contra ellos o se uniere a sus enemigos, proporcionándoles ayuda y auxilio, dentro de los Estados Unidos, o en cualquiera otra parte.

“Artículo 2.—Quienquiera que fuere convícto de traición sufrirá la pena de muerte, o a discreción de la corte, será castigado con prisión por un término no menor de cinco años y multa mínima de \$10,000, que se impondrá y cobrará sobre cualquiera parte de los bienes, muebles o inmuebles, que fueren de su propiedad en el momento de cometer la traición, aunque se hubiere efectuado cualquier venta o traspaso de los mismos, y toda persona, convícta que fuere de traición, quedará además incapacitada para desempeñar cualquier cargo público en los Estados Unidos.

“Artículo 3.—Cualquiera que deba fidelidad a los Estados Unidos y que, teniendo conocimiento del hecho de haberse perpetrado cualquier acto de traición contra los mismos, lo ocultare, y no lo revelare y comunicare, cuanto antes, al Presidente o a algún juez de los Estados Unidos, o al gobernador o a algún juez o magistrado de cualquier Estado de la Unión, será culpable de delito de ocultación de traición, y será encarcelado por un período que no exceda de siete años y multado en una cantidad que no será mayor de \$1,000.

“Artículo 6.—Si dos o más personas de cualquier Estado o Territorio, o de cualquier sitio bajo la jurisdicción de los Estados Unidos, conspiraren con el objeto de derribar, derrocar, destruir o dominar por la fuerza al Gobierno de los Estados Unidos; o de hacer la guerra contra éstos; o de oponerse mediante el empleo de violencia a su autoridad; o de usar la fuerza para prevenir, impedir o demorar el cumplimiento de cualquier ley de los Estados Unidos; o de ocupar, tomar posesión o apoderarse, por medio de la fuerza, y en contravención a la autoridad de los Estados Unidos, de cualquier propiedad perteneciente a los mismos, serán castigadas con multa que no exceda de \$5,000 o prisión por no más de seis años, o con ambas penas.

“Los tribunales de los Estados Unidos han declarado que los siguientes son actos que constituyen traición:

“El uso o el intento de usar de cualquier clase de fuerza o violencia contra el Gobierno de los Estados Unidos, o contra sus fuerzas militares y navales;

“La adquisición, uso o disposición de cualquier propiedad que haya de servir, o se tenga el propósito de que sirva, para auxilio del enemigo durante sus hostilidades contra los Estados Unidos;

“La realización de cualquier acto o la publicación de manifestaciones o informes que en cualquier forma promuevan o suministren ayuda o socorro a los enemigos de los Estados Unidos;

“Dirigir, ayudar, aconsejar o apoyar cualquiera de los actos precedentes.

“Esos actos se consideran que constituyen traición, ya se cometan dentro de los Estados Unidos, ya en cualquier otro lugar, y aunque se realicen por un ciudadano de los Estados Unidos o por un extranjero domiciliado o residente en los Estados Unidos, puesto que tanto los extranjeros residentes como los ciudadanos deben fidelidad a los Estados Unidos y a sus leyes.

“Cualquiera de dichos ciudadanos o extranjeros, que supiere que se han cometido tales actos y que ocultare y no comunicare los hechos a los funcionarios mencionados en el Artículo 3 del Código Penal, será culpable del delito de ocultar actos de traición.

“Y por la presente proclama prevengo a todos los ciudadanos de los Estados Unidos y a todos los extranjeros que deban fidelidad al Gobierno de los Estados Unidos, que se abstengan de realizar cualquiera de los actos que constituirían una infracción de alguna de las leyes insertadas en este documento, y advierto asimismo a cuántos cometieren esos actos que serán procesados con todo el rigor de la ley.

“EN TESTIMONIO DE LO CUAL, he firmado la presente proclama y ordenado que se estampe en ella el sello de los Estados Unidos.

“Dada en la ciudad de Washington, hoy, diez y seis de abril del año de Nuestro Señor, mil novecientos diez y siete, y centésimo cuadragésimo primero de la Independencia de los Estados Unidos.

[SELLO]

“WOODROW WILSON.

“Por el Presidente,

“ROBERT LANSING,  
“*Secretario de Estado.*”

GOVERNMENT OF PORTO RICO.

OFFICE OF THE EXECUTIVE SECRETARY.

SAN JUAN, May 4, 1917.

*Administrative  
Bulletin  
No. 123.*

BY THE GOVERNOR OF PORTO RICO.

A PROCLAMATION.

*Mothers' Day Celebration.*

Two years ago a law was enacted, whereby the second Sunday of the month of May of each year was designated to be known as Mothers' Day and to be devoted to the exaltation of motherly affection and to a tendering of loving and respectful homage to woman, in her noblest and most august mission.

Porto Rico in that way joined, with the greatest enthusiasm, the movement started by a distinguished lady in the United States for the establishment and perpetuation of the custom of doing special honor, at least once a year, to the mother, as the symbol and foundation of the home and the family, which in turn form the groundwork of civilized societies. And it could not be otherwise, because Porto Rican mothers have always set the highest examples of self-denial and self-sacrifice, ennobling and sanctifying the home, and watching at all moments of their lives over the physical, moral and intellectual welfare of their children, in order to give to their country healthy, intelligent and worthy citizens.

This sublime and patriotic disposition to sacrifice, so deeply ingrained in our mothers, will no doubt permit them to face bravely the difficult and painful situations

PROCLAMATION.

that may arise in the present crisis, when our nation has been compelled to take part in the terrible war pressing down on the world since the summer of 1914, in order to vindicate, in the words of President Wilson, the principles of liberty and justice and the rights of peoples to live in peace, which a selfish and autocratic power has endeavored to destroy. No one doubts that Porto Rican mothers will, on this solemn occasion, rise to the same moral and patriotic level attained by those mothers in other countries who have endured with heroic resignation the severe sacrifices demanded of them by this colossal struggle for the rights of humanity.

THEREFORE, In the discharge of the duty assigned to me by the aforesaid law, I, ARTHUR YAGER, Governor of Porto Rico, recall to all the people of the Island that Sunday, the thirteenth of May, is the day dedicated to the observance of Mothers' Day, and that the emblematic flower to be worn on said day, as an external token of our homage, is the Honeysuckle, which was selected for the purpose by the Legislative Assembly. And at the same time I earnestly recommend that all priests, ministers and chief officers of all religions choose as the special topic of their sermons and religious discourses on that day the veneration due to the mother and the home, and I recommend likewise that all citizens show their interest in the idea by taking part in some way in the celebration of the day.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of The People of Porto Rico to be affixed at the city of San Juan, this fourth day of May, A. D. 1917.

[SEAL.]

ARTHUR YAGER,  
*Governor.*

Promulgated according to law, May 4, 1917.

S. SIACA PACHECO,  
*Executive Secretary*

GOBIERNO DE PUERTO RICO

OFICINA DEL SECRETARIO EJECUTIVO

SAN JUAN, P. R., 11 de mayo de 1917.

*Boletín  
Administrativo  
No. 126.*

PROCLAMA DEL GOBERNADOR

*Día Francés.*

Casi siglo y medio ha transcurrido desde que una valerosa legión de franceses, al mando de caudillos tan brillantes como Lafayette y Rochambeau, se trasladaron al continente americano a ofrendar su sangre generosa por la causa de nuestras libertades, y nos ayudaron con su valioso esfuerzo a la formación del núcleo nacional que sirvió de base al desarrollo y engrandecimiento de nuestra Gran República.

Desde aquella época memorable, Francia y los Estados Unidos, las dos repúblicas más poderosas del Viejo y del Nuevo Mundo, han mantenido las relaciones más cordiales y amistosas, unidas por el recuerdo del hecho histórico antes mencionado y por la afinidad de sus ideales y aspiraciones.

Esos lazos de afecto y solidaridad que han existido siempre entre los dos pueblos, vienen a estrecharse más, si ello es posible, en los actuales momentos, en que un enemigo común amenaza no sólo nuestra tranquilidad y nuestros derechos de naciones libres y soberanas, sino los principios democráticos y la libertad y la paz del mundo.

Puerto Rico siente también honda simpatía por la noble república que ha dado tanto relieve al genio admirable de la raza latina, y cuya influencia se ha dejado sentir de modo notable en este país en el desarrollo de su vida

PROCLAMA.

política y en la formación de sus literatos y poetas. Una numerosa y respetable colonia francesa vive entre nosotros, contribuyendo con su labor al progreso de esta tierra, y muchos hijos de franceses comparten hoy con nosotros los derechos y deberes inherentes a una misma ciudadanía.

Considero que el instante es oportuno para que rindamos un homenaje de amistad y estimación a nuestra firme y poderosa aliada, mucho más cuando se espera la visita a esta Isla de un distinguido representante suyo;

POR TANTO, Yo, ARTHUR YAGER, Gobernador de Puerto Rico, anuncio por medio de esta Proclama que el jueves próximo, diez y siete de mayo, será conocido con el nombre de "Día Francés," y recomiendo vivamente que se celebre en toda la Isla, en la forma más adecuada, la significación que para nosotros tendrá ese día, y que se enarboles el mayor número posible de banderas francesas y americanas y se adornen con ellas las fachadas de los edificios públicos y privados, como demostración de la fraternidad y buena armonía existentes entre los dos pueblos.

EN TESTIMONIO DE LO CUAL, he firmado esta Proclama, y hecho estampar en ella el Sello de El Pueblo de Puerto Rico, en la ciudad de San Juan, hoy, once de mayo de mil novecientos diez y siete.

[SELLO.]

ARTHUR YAGER,  
*Gobernador.*

Promulgada, de acuerdo con la ley en 11 de mayo de 1917.

R. SIACA PACHECO,  
*Secretario Ejecutivo.*

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# MENSAJE

DEL

GOBERNADOR DE PUERTO RICO

A LA

NOVENA ASAMBLEA LEGISLATIVA  
LEGISLATURA EXTRAORDINARIA, 5 DE FEBRERO DE 1918

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# MESSAGE

OF THE

GOVERNOR OF PORTO RICO

TO THE

NINTH LEGISLATURE  
EXTRAORDINARY SESSION, FEBRUARY 5, 1918

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The Filson Historical Society

SAN JUAN, P. R.  
BUREAU OF SUPPLIES, PRINTING, AND TRANSPORTATION  
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# MENSAJE

DEL

## GOBERNADOR DE PUERTO RICO

A LA

### NOVENA ASAMBLEA LEGISLATIVA

LEGISLATURA EXTRAORDINARIA, 5 DE FEBRERO DE 1918

*Al Senado y  
A la Cámara de Representantes.*

SEÑORES DE LA LEGISLATURA:

Ya teneis conocimiento de que he considerado necesario de acuerdo con el artículo 33 de la nueva Ley Orgánica, convocaros para celebrar ahora una legislatura extraordinaria. Los asuntos de importancia que requieren alguna resolución de vuestra parte, han sido ya mencionados en la convocatoria. Os envío este breve mensaje para transmitirlos informes que estoy seguro ejercerán influencia importante en todas vuestras deliberaciones durante el corto tiempo que ha de durar la legislatura extraordinaria, y que también servirán para explicar la razón por la cual no he incluido en dicha convocatoria otros asuntos que son también urgentes y de verdadera importancia. Los funcionarios que tienen a su cargo la Hacienda Pública en los departamentos del Auditor y del Tesorero de Puerto Rico me han informado que los egresos autorizados para el año económico en curso, de acuerdo con las leyes de presupuesto de las dos legislaturas últimas, y que están ya hechos en parte, han resultado ser mucho mayores que los ingresos calculados para el mismo ejercicio. En realidad, la situación presente del Tesoro Insular es tal, teniendo en cuenta un cálculo cuidadosamente hecho de los ingresos que pueden ser recaudados hasta 30 de junio, que será necesario posponer toda clase de gastos, con excepción de aquellos consignados en las asig-



naciones del presupuesto para los departamentos regulares del gobierno y un corto número de asignaciones, sin año fiscal determinado, para obras en proyecto a las cuales se ha dado ya principio y que deben ser terminadas a fin de evitar pérdidas. Además, las asignaciones hechas para el año fiscal de 1918-19 parece que son tan amplias como los dictados de la prudencia permiten, si consideramos el hecho evidente de que en realidad no se conoce todavía el montante de ingresos que han de producir las contribuciones creadas por leyes recientes. En relación con este asunto, me permito llamar vuestra atención hacia la cláusula 19 del artículo 34 de la Ley Orgánica, que es obligatoria para todo funcionario del gobierno y que requiere que no se haga ninguna asignación ni se autorice ningún gasto o pago del dinero existente en el Tesoro Público en exceso de los ingresos o de los fondos que pueda haber disponibles.

Debido a esta situación económica, solamente he solicitado en la convocatoria para la legislatura extraordinaria el menor número posible de asignaciones adicionales, todas ellas pequeñas y que parecen ser absolutamente necesarias.

Como la "Ley Jones" prescribe que la Asamblea Legislativa no hará ninguna asignación ni autorizará ningún gasto que exceda de las rentas totales prescritas por la ley (incluyendo cualquier superávit disponible en el Tesoro), sin decretar al mismo tiempo la imposición de una contribución suficiente para pagar esas asignaciones o gastos dentro del mismo año económico, surge la cuestión de si asignaciones hechas en tales circunstancias pueden continuar con cargo a los ingresos del próximo año fiscal o si deben ser consideradas como de ningún valor o efecto. Someto este punto importante, para vuestra consideración y gobierno.

Además de la ley de "Compensación para Obreros," he presentado ante vosotros para su reconsideración, los dos proyectos de ley sobre establecimiento de bancos, pasados en la última legislatura y desaprobados. Es de suponer que vosotros no deseáis aprobar los dos, y al considerar cualquiera de ellos, he de recordaros que esos proyectos de creación de bancos requieren, en el caso de que cualquiera de ellos se convierta en ley, que se vendan bonos de El Pueblo de Puerto Rico con el fin de proveer el capital que ha de servir para el funcionamiento del banco. El mundo entero está en guerra en la actualidad, y todos los grandes gobiernos, incluyendo el nuestro, están vendiendo sus bonos en las cantidades más sorprendentes. Por lo tanto, la prudencia exige que evitemos, en cuanto sea posible, que el crédito de nuestro gobierno sea sometido a la severa prueba de tratar de vender una gran emisión de bonos dentro de las condicio-

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nes actuales de los mercados monetarios del mundo. En relación con esto, desearía añadir que cuando estaba en Washington el mes pasado, se me dió la esperanza de que pronto la Ley de Créditos Rurales del Gobierno Federal se haría aplicable a Puerto Rico. Si se puede obtener en tal sentido la modificación de dicha ley, podremos adquirir para nuestros agricultores todos los beneficios de cualquiera o de ambos de los proyectos de ley sobre bancos, sin que nuestro gobierno incurra en los gastos o riesgos que van envueltos en esos proyectos. De todos modos continuaré trabajando por la aplicación a Puerto Rico de la Ley de Créditos Rurales de los Estados Unidos, en la creencia de que esta es la forma más segura y estable de hacer frente a las urgentes necesidades de todos los agricultores de la isla.

CASA DEL GOBIERNO, 5 de febrero de 1918.

The Filson Historical Society

**MESSAGE**  
OF THE  
**GOVERNOR OF PORTO RICO**  
TO THE  
**NINTH LEGISLATURE**

EXTRAORDINARY SESSION, FEBRUARY 5, 1918

*To the Senate and the  
House of Representatives:*

GENTLEMEN OF THE LEGISLATURE:

As you already know, I have deemed it necessary, in accordance with section 33 of the new Organic Act, to call you to a special session at this time. The matters of importance upon which it is deemed necessary for you to take action have already been mentioned in the call. I am sending you this brief message to convey to you information which I am sure will have an important bearing upon all of your deliberations during the brief time that the special session may continue, and which also will explain why I did not include in the call other matters which are of real and urgent importance. I am informed by the financial officers in the departments of the Auditor and Treasurer of Porto Rico that the expenditures authorized and in part already expended for the current fiscal year in accordance with the appropriation acts of the last two sessions of the Legislature have proved to be too large for the estimated revenues of this fiscal year. In fact, the present condition of our insular treasury, taking into account a careful estimate of the revenues which may be collected by June 30, is such that it will be necessary to postpone all expenditures except those required by the budgetary appropriations for the regular departments of the Government, and a few of the no-fiscal year projects which have already

been begun and must be completed in order to avoid loss. Moreover, the appropriations already made for the fiscal year 1918-19 seem to be quite as large as the dictates of prudence permit when we consider the obvious fact that all the new tax laws have not yet been actually tested as to the amount of revenue they will produce. In this connection, I would call your attention to clause 19, Section 34 of the Organic Act which is binding upon every officer of the Government and requires that no money shall be appropriated or expended or paid out of the treasury in excess of the revenues or of the funds that may be available.

Owing to this financial situation I have placed in the call for the special session only the fewest possible requests for additional appropriations, all of them small and all of them seeming to be imperatively necessary.

Inasmuch as the "Jones Bill" further provides that the Legislature shall not make any appropriations or authorize any expenditures which shall exceed the total revenues provided by law (including any available surplus in the Treasury) without providing for levying a sufficient tax to pay such appropriations or expenditures within such fiscal year, the question arises as to whether appropriations made under such circumstances may be continued as charges upon the revenues of the next fiscal year, or whether they should be regarded as of no effect. I submit this important question for your consideration and guidance.

In addition to the Workmen's Compensation Act, I have placed before you for reconsideration the two bank projects passed and disapproved at the last session. Of course, you will not desire to pass them both, and in the consideration of either one of them, I beg you to remember that these bank laws require, if either of them should become a law, that the bonds of The People of Porto Rico should be sold to provide the working capital. The whole world is now at war and all the great governments, including our own, are selling their bonds in the most amazing amounts. Prudence, therefore, requires that we should avoid, as far as we possibly can, putting the credit of our Government to the severe test of trying to sell any large issue of bonds in the present condition of the money markets of the world. In connection with this matter, I desire to add that when in Washington last month, hope was held out to me that the Rural Credit Law of the Federal Government would soon be made applicable to Porto Rico. If this change can be secured, we can get for our farmers all the benefits of either or both of the bank laws without incurring the expense or the risks to our own

PORTO RICO.

void loss. Moreover, year 1918-19 seem permit when we cons have not yet been y will produce. In clause 19, Section every officer of the be appropriated or of the revenues or

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The whole world including our own. nounts. Prudence, as we possibly can, vere test of trying dition of the money matter, I desire to was held out to me nment would soon ge can be secured, her or both of the risks to our own

MESSAGE OF THE GOVERNOR OF PORTO RICO.

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Government, involved in the bank projects. At all events I shall continue to labor for the introduction of the Rural Credit Law of the United States into Porto Rico in the belief that this is the surest and safest way to meet the urgent needs of all of the farmers of the island.

GOVERNMENT HOUSE, *February 5, 1918.*

The Filson Historical Society

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October 31, 1918.

Sir:

Enclosed herewith I am sending for your consideration and for such action, as you may deem advisable within the sphere of your Department, copy of a complaint addressed by this Association, under even date, to the Department of Labor, in respect to the condition of a large number of Porto Rican laborers brought by the said Department from Porto Rico and at present stationed at Camp Bragg, Fayetteville, North Carolina, and other points in this country.

I am also enclosing herewith affidavit of Mr. Rafael F. Marchan, who is one of the said Porto Ricans, showing the unspeakable abuses committed at the said Camp.

An early reply to this communication will be greatly appreciated by this Association.

Yours respectfully,

To the Honorable Secretary of War.

(Enclosures).

11X 211

October 31, 1918.

My dear Senator:

Knowing, as I do how great is the interest you have in Porto Rico and in the welfare of Porto Ricans in general, as well as in the promotion of good understanding and development of relations of good will and brotherly love between Porto Ricans and all other citizens of this great and glorious Nation of ours, I am taking the liberty to enclose herewith copy of a complaint filed this day by the Association, of which you are an honorable member, with the Department of Labor and the War Department, setting forth the deplorable condition of large numbers of Porto Ricans brought to this country to work for the Government and now stationed at Camp Bragg, Fayetteville, N. C., and at other places here. I also enclose affidavit of Mr. Rafael F. Marchan, who is one of these Porto Ricans, and translations of letter received at the office of the Porto Rican Commissioner, which I feel justified in using by reason of my being personally in charge of Porto Rican affairs by request and during the absence of Judge Córdova Dávila.

My object in the first place is to acquaint you with this awful situation, and then, in the name of humanity and justice and fair dealing, to ask you whether it would not be possible for you to bring this matter to the attention of the Senate and the American people, in case that the Department of Labor and the War Department should not at once take the proper steps to put an end to this shame and injury and also prevent the premature death of a good many of these Porto Ricans who will unavoidably die unless proper measures are immediately adopted to prevent this contingency. You are of course perfectly welcome to take any such other action as you may deem advisable under the circumstances.

Assuring you of the eternal gratitude of Porto Rico for anything you may now do for these Porto Ricans, I remain, my dear Senator,

Yours very respectfully

President.

Senator John F. Shafroth,  
Chairman Committee on  
Pacific Islands and Porto Rico.

Enclosures.

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86 X 11

RAFAEL F. MARCHAN, being first duly sworn, deposes and says: That he is a native of Porto Rico, and a citizen of the United States, twenty-seven years old, married, and temporarily residing at Camp Bragg, Fayetteville, North Carolina; that he, and some other 1700 Porto Ricans, were induced and persuaded, directly or indirectly, by Mr. F. C. Roberts, Special Agent, Bureau of Immigration Department of Labor, to come, and did come, to this country for the purpose of cooperating within the scope of their respective ability, in the noble task of carrying on this war to a successful issue, by contributing their labor to American industries and works, it being distinctly and clearly understood at the time, that he, the affiant, RAFAEL F. MARCHAN, and the other Porto Ricans, as aforesaid, came under theegis and protection of the Government, and that he and they were to be employed in their respective trades or such occupations as they were fit for; that it was equally and specifically understood at the said time also that the housing accommodations and living and working conditions were to be of such a kind as to insure their health and comfort, and that proper measures would be taken to provide for their welfare and protection against mistreatment and abuse while employed in such work as aforesaid; that it was further understood that the said affiant and the other Porto Ricans as aforesaid, were to be sent to such States of the Union as are farthest south, where the climate and general conditions are more similar to those under which they have been accustomed to live and work. It was also understood that if any or all of the said Porto Ricans should not be satisfied with working or living conditions or should merely wish to change to some other work for which he or they were competent or fit for or to some other place of his or their choosing, he or they could do so, and that they were not to be restrained in their personal liberty or in any way compelled to do any kind of work or live in any given place against their will.

The affiant, RAFAEL F. MARCHAN, further deposes and says, that he and the other Porto Ricans as aforesaid were brought from Porto Rico to this country in the Government Transport City of Savannah, through the port of Wilmington, Delaware, whence they were brought to Camp Bragg, at Fayetteville, North Carolina, on September 29, 1918, where they were housed in improperly constructed barracks without protection from the cold weather; that so far as he can make out they were turned over to James Stewart and Company, Inc., Contractors for the construction of the said Camp, to work for them under



conditions and terms wholly unsatisfactory to them, the said affiant and the other Porto Ricans as aforesaid, who, without any distinction or discrimination as to capacity or qualifications, were on the next and successive days ordered to clear the grounds of timber and brush for the Camp, with the exception of a few of them who were detailed to hospitals, offices, etc.

The affiant, RAFAEL F. MARCHAN, further deposes and says, that owing to the improper and unsanitary conditions under which the said Porto Ricans labor and live at the said Camp Bragg their health and comfort and even their lives are not only endangered and put in jeopardy but actually broken up and destroyed as it has been the case with some twenty-two of them who have died from utter lack of proper care and medical attention. And the affiant says that at the Hospital the same drinking glass and other utensils <sup>are</sup> indiscriminately used by all without previous disinfection, with the resulting infection and contagion of such dreaded diseases as influenza, consumption, pneumonia, etc.; and the affiant further says that there have been cases of such utter and inhuman cruelty as to compel sick men under the pretext of their being lazy, to either go to work or be locked up, just because in fear of the ill treatment which they expected to receive at the hospital they would rather stay in their own beds, and when the men are sent to the hospital they are not always sure they will not be neglected and abused without any consideration or regard for their condition; and the affiant further says that there was a case of such apparent neglect and criminal negligence as to permit a man to die from a wound on his foot which was infected and aggravated by the first aid bandage which was put on it and never removed for about a week until he passed away; and that there was a notorious case of abuse of a sick man in the hospital who was ordered from his bed by the attending physician and when he would not do it as quickly as ordered, the said attending physician took him by the arm and violently threw him out of bed upon the floor. And the affiant further says that men are put to bed at the hospital with their working clothes on, that they all are given no other medicine or treatment than some "white tablets" which have become a sort of a joke among the Porto Ricans as being considered a sort of omnipresent cure-all or universal panacea for all ailments, from a simple cold to sore feet, pneumonia or rheumatism; and that the same holds true as to diet, there being no difference made in this respect as between the very sick and those slightly ill.

The affiant, RAFAEL F. MARCHAN, further deposes and says, that these Porto Ricans are compelled to use mess books which are obtained at the office, and when men working far away from the said office arrive there a little late they are told to go without food because the man in charge is generally in a hurry to close up and go to town for the night, usually making some remark or excuse such as that there are no more mess books left, or that office hours are over, etc.; and the affiant says that at one time when a number of men went to work to some particular place a little ways off from the regular mess halls, they were compelled by force at the point of revolvers to take some food which they did not want because it was not satisfactory, and prevented from going to the regular mess halls, where they would prefer to go for their dinner, and those who resisted this outrageous imposition were violently pushed about and abused, and one was quite badly injured; and the affiant further says that at these regular mess halls they serve only one kind of food and if any of the men wishes to have something else within reason, such as a glass of milk, a couple of eggs or a piece of pie, etc., they are met with the invariable remark that they can not have it. And the affiant further says that, in exchange, those at the office can have most anything they wish while they pay exactly the same price for their food as the common laborers who must be contented to accept what they can get, to their detriment and with evident injustice to them.

And the affiant further deposes and says, that as illustrating the general treatment accorded these Porto Ricans at the Camp, there has been such cases of outrageous unspeakable abuse and degrading ill treatment of the men that some have positively refused to continue at the Camp and announced their intention to leave, but have been prevented to do so by sheer compulsion of force, thus being deprived of their liberty and what is still worse compelled to remain in a state of involuntary servitude; and the affiant says, that even the Fire Chief, who evidently is a regular bully at the Camp, has gone so far outside the scope of his authority at different occasions that the men under him are wont to look upon him as the terror of the place, the bulldog of the Camp, who has no hesitation in striking men with his fist or brandish his revolver in their faces; and the affiant further says that the acts of cruelty committed daily against these men are too numerous to be cited here in all their repulsive and disgusting details; that as illustrative of the callousness and heartlessness of the treatment accorded to these people by some of the men in authority at

the Camp the case may be cited of a poor old man who was inhumanly knocked down and made to cry by one of these fiendish individuals who afterwards, finding him asleep near the same spot where he was knocked down, set fire to the dried leaves and twigs around his helpless form in order to frighten the old man, making him believe that he was to be burned alive.

And the affiant further deposes and says that he has been instructed by a number of these Porto Ricans to lay before the Commissioner of Porto Rico their grievances with the request that the matter be taken up with the proper authorities of the Government with a view to have the proper remedy applied to a situation which has become unbearable; and the affiant says that the said petition to said Commissioner was not subscribed by all of the men, because it had to be done under secrecy in order to avoid detection at the Camp by those interested in having all these shameful things ignored and kept from the general public and the Government of the United States, even at the cost of further and greater crimes against them.

*Rafael F. Marchan*  
Subscribed and sworn to before me this 24th day of October, 1918.

*George A. ...*  
Notary Public *to.*

Letter to the Commissioner of Porto Rico

(Translation)

Fayetteville, N. C., Oct. 7, 1918

Sir:

I take the liberty of addressing you in an unofficial manner requesting you not to make any official use of same, that later on, if it be necessary, I would write you in an official character. This is the matter:

On September 22nd last, an expedition of workmen left Porto Rico to come to this country to work for the Government and said expedition is now at this Camp, but in such a condition that three men have already died and 90 per cent of the 1700 are sick, some of them so very ill that they will also die if an energetic measure is not taken soon, and, not only as to them, but in regard to the food, sanitary conditions, clothing and medical attention.

A large number of the men who came in this expedition are anemic and of poor physical constitutions, who should have never left Porto Rico under any circumstance at all. If one adds to all this the fact that the majority of them wear just a pair of trousers and a shirt in the way of clothing, you will deduct that with this equipment they cannot stand this climate and much less when the real winter weather sets in.

I am in charge of the men in this Camp and I am taking the necessary steps for the welfare of all of them, but the general disorganization prevailing here is so, that up to the present time nothing good has been developed as yet and it will be a long time before any practical good is done and then may be too late.

There are four hospitals and there are no medicines nor efficient medical attention. Now, as I feel that a great moral responsibility rest on me towards these poor people who come to me for a remedy to their ailments, which I cannot do, due to the prevailing general conditions, I deem it proper to request you to come and see for yourself these conditions and afterwards try to have these men sent to States further south where the climate is even milder or that they be sent back to Porto Rico, as it would be inhuman to keep them here.

I hope that you will give this matter due consideration and that you will come here in order that you may act afterwards as you deem best.

Please excuse the manner in which this letter is written, as conditions as well as the short time which my occupation gives me in the evening, don't allow me to do it otherwise.

Respectfully,

(Signed) Ramón Viña

86X11

Letter to the Commissioner of Porto Rico.

(Translation)

Fayetteville, N. C.,  
October 12, 1918.

Sir:

We, the undersigned, take the liberty of addressing you, who, as the Representative of our Porto Rico, will cooperate with your greatest efforts to save the expedition of 1700 men who are here at Camp Bragg, Fayetteville, N. C.

We willingly left our shores with the sole purpose of helping our great American Nation to defend the democracy of the whole world.

Mr. F. C. Roberts, in charge of carrying said plan into effect, promised us that we would be sent to a Southern State where the climate would be similar to that of Porto Rico. It has not been so, as we were sent to this place where we are suffering in an indescribable manner. We have already experienced some cold weather. Winter is almost here and no doubt that more than 50 per cent of us will die. Our representative, Mr. Rafael F. Marchán will relate to you in detail the conditions under which we live at present. More than 700 persons have received medical attention; there are about 200 in the hospital and about 12 have died since.

We are fully convinced that our great Nation does not know our situation, and that as humanitarian Nation, she will save her sons who are ready to help her to defend the great cause which has involved her in the European War.

We desire to be sent farther south where we wont be exposed to the ravages of the winter and where we could work in some of the industries of our Nation.

Hoping to see our wishes fulfilled, we remain with thanks,

Respectfully,

(Signed) (Here follows 136 signatures.)

The above is a correct translation of the original at the Office of the Porto Rican Commissioner.

11x98

Letter to the Commissioner of Porto Rico.

(Translation)

New Orleans, October 10, 1918.

Sir:

I have the honor to notify you that under date of September 15th I started in an expedition which sailed from Porto Rico to this place where I am now with some other of our fellow citizens. Sir, the condition in which we find ourselves is pitiful. A number of our men were taken out of the city under a soldiers guard and we do not know their whereabouts. On the next day after our arrival here we were sent to work in the Government Camps. To some men who worked the six days of the week they were paid \$1.50. I, myself, who figured on getting \$22., was paid \$3.15. It would be useless to keep on relating these facts. I only ask of you to obtain my transfer to New York where I have a married daughter, and in Porto Rico I have my wife and children awaiting for my money for their support, but up to the present time I have been unable to send them any and it would be impossible if these conditions continue to prevail. I hope that you will see that I am transferred from this place, and I will work to pay you my expense and be near my daughter, whom I do not wish to have her know my situation. She ignores that I am here under these circumstances. I center my hopes in you and I hope you will take pity on this Porto Rican. Call me to your presence and I will relate our stories of woe.

I request an answer to at least obtain some hopes.

Respectfully,

(Signed) Juan Santos

The above is a correct translation of the original at the Office of the Commissioner of Porto Rico.



Letter to the Commissioner of Porto Rico.

(Translation)

New Orleans, La. Oct. 18, 1918.

Sir:

I came among the twelve hundred Porto Ricans just arrived in this city. I was appointed timekeeper in Porto Rico but I have not worked a single day as such.

Today I will send a telegram to President Wilson but I do not know whether that would be possible.

I depend on you to obtain for me a pass from the Government that will enable me to go to New York or Washington.

In the hopes that you will see that justice is done to me, I remain,

Respectfully,

(Signed) Alberto Laborda

The above is a correct translation of the original at the Office of the Commissioner of Porto Rico.

Telegram to the Commissioner of Porto Rico

(Translation)

Little Rock, Ark. 12-10 PM

Sir:

Workmen brought here from Porto Rico to work for the Government in New Orleans ill treated. They have also been taken out of the city under soldiers guard and knocked with butt-end of guns. Some have been paid only part of their salaries and other nothing at all. Their goods all lost. In representation of said laborers, I request you to come here to make investigations. Complete indignation reigns amongst us. We anxiously await your answer.

(Signed) Mr. Reyes Pratt Engrg and Co. Picon, Ark.

The above is a correct translation of the original at the Office of the Commissioner of Porto Rico.

11898



August 6, 1917.

Mr. F. C. Roberts,  
Special Agent, Bureau of Immigration,  
Department of Labor,  
District of Columbia.

Dear sir:

Your letter of August (July?) 31, 1917, relative to Porto Rican laborers for railroad work in this country, was duly received and carefully considered.

We have not the agreement to which you refer as an enclosure, and cannot therefore express any opinion on the same. We suppose, however, that this agreement is the same as the one contained in the carbon copy of a letter addressed by you to Mr. J. R. Gould, which you were good enough to deliver to our Vice President, Mr. Garcia de Quevedo. The agreement is as follows:

- First: The railroads to make their requisition for labor through the Department of Labor.
- Second: State how many workers are needed and the length of service.
- Third: State the wages, hours, and living conditions of the workers.
- Fourth: That the railroads should agree to furnish free transportation for the workers from the Porto of entry to place of employment, feeding the men enroute.
- Fifth: That after the workers have filled their part of the contract all those who desire to return to Porto Rico should be given free transportation to the nearest Port to the Island.

11x9

(6 Aug 17)

F. C. Roberts.

- Sixth: That a certain percentage of the workers be permitted to leave the employ of the railroads to work upon the farms along the lines of the railroads, in cultivating or harvesting the crops, after which they be allowed to return to work for the railroad companies.
- Seventh: That while in the employ of the Companies they should not be used in any sense of the word as strike breakers.
- Eighth: If foremen or section bosses are needed who can speak both English and Spanish, state pay for such services.

From the history which you are good enough to make in your aforementioned letter of July 31, 1917, of the negotiations carried on by your Department, it may be safely inferred that you are deeply interested in Porto Rico, and quite in sympathy with the fundamental object of this Association, which you, of course, do not fail to recognize and appreciate.

While this Association is not an official representative of Porto Rico, and does not, therefore, claim to speak for the people of Porto Rico, it is, nevertheless, a genuine Porto Rican Association extending its sphere of activities throughout the United States, for the specific purpose, as stated in the margin, to "foster and stimulate in the United States of America, and specially in the Capital City thereof, as the seat of the Government, a warm interest for Porto Rico, which may give rise to the establishment of closer bonds of friendship and culture between Porto Ricans and Americans and thereby tend to solve beneficially and definitively, the legal and political status of the island."

In making these statements it is our purpose in the first place to express to you our sincere appreciation of the courtesy shown by you to our Association, and then to assure you of our heartfelt approval of your initiative, and lay at your command all the resources of this Association, whether large or small, to carry out successfully a plan which in our

F. C. Roberts.

estimation may be very beneficial to our little island and serve at the same time as a useful experiment in establishing closer bonds of confraternity and interests between Porto Ricans and Americans of the mainland.

As an indication of our hearty desire to collaborate in the successful execution of your plan, I have the honor to lay before your consideration, the following suggestions which we would be very happy to have you patronize and adopt as part of the modus operandi of the plan.

Whereas the bringing of these large number of Porto Ricans into this country is an event of peculiar importance for the future development of the relations between the United States and Porto Rico, since their presence here must necessarily have a natural tendency to create American public opinion toward Porto Rico in a general way, and give, on the other hand, to Porto Ricans a sort of opportunity to ascertain the American spirit and attitude in this country toward Porto Rican laborers in particular, and more or less toward Porto Ricans as a people in general; and,

Whereas it is desirable that this event should be made an special occasion for promoting mutual understanding and a sincere relationship of friendliness and good will between Porto Ricans and Americans, and in this way subserve the cause for which this Association is founded, which is undoubtedly a just and noble cause, affecting not only Porto Rico but the United States as well; and,

Whereas considerations of a far reaching nature render imperative that this event should be made to subserve the public and permanent interests of both Porto Rico and the United States, and not merely the private and temporary interests of individuals or corporations, which are mainly, if not solely, centered on their own gains and benefits; and,

Whereas there is a good deal of fear and apprehension if no real danger and probability that on account of a lack of proper natural understanding there might develop a situation altogether detrimental and prejudicial not only to these individual Porto Ricans as mere laborers or employees of the railroad companies, but also to the whole body of Porto Ricans as a people, and even to the United States, as it might be argued as evidence of the treatment which Porto Rican laborers may expect to receive at the hands of the United States, and at the same time might act as pabulum to the most unwholesome imputations respecting the motives of the Department in bringing these Porto Ricans to the mainland; and,

Whereas it is the wise and just counsel of reason that under these circumstances the Department should protect itself as well as the higher

(6 Aug 17)

F. C. Roberts.

interests of this country and of Porto Rico by some steady instrumentality which by the very nature of its existence could not be considered as susceptible of leanings and partialities against these Porto Ricans, in any controversy which might arise between them and the railroad companies where the question of race or any other fundamental difference between Americans and Porto Ricans might have a tendency to becloud the real point at issue; and,

Whereas it is quite doubtful whether the railroad officials or even the Department of Labor, itself could, in all fairness and justice, be expected to provide any such instrumentality or even do anything else in this direction than to afford every facility to any such instrumentality already existing in the United States and willing to lend its voluntary assistance along these lines, practically without expense or any great inconvenience to either the Department or the railroads; and,

Whereas this Association is, by the very nature of its fundamental object, and by the very character of its membership, as well as by its name, a Porto Rican institution, and can therefore render very positive assistance not only to the Department but to all parties interested in this happy experiment, if the necessary facilities are ungrudgingly extended to it:

Now, Therefore, in view of all and singular the above considerations, this Association wishes to propose to you, and through you to your Department and the railroad companies interested in this movement, the adoption of the following articles in connection with the agreement reached by Your Department and the said railroad companies, to wit:

FIRST: That in view of the services which this Association will positively render, along the lines hereinbefore suggested, to the said railroad companies interested in the bringing and maintaining of Porto Rican laborers in this country, the said railroad companies shall engage to submit regularly to this Association either directly or through your Department, a list of names of all the Porto Ricans by them so employed together with a detailed statement of their home addresses, the character of their employment, the work to which they are assigned and the places where they are located.

SECOND: That in order to facilitate the work of this Association in this direction, the agents and representatives of this Association shall be properly authorized and empowered to investigate from time to time, as the necessities of the case shall require, general conditions among these laborers and other Porto Rican employees at the service of the said railroad companies with a view to ascertain or discover any causes of dissatisfaction and discontent which may develop as regard these workers or among them, and lead to unpleasant disagreements, misunderstandings, ill feelings, and irretrievable errors and mistakes.

THIRD: That in order to further facilitate this work, and in view of the fact that such investigations must be of peculiar interest

and material benefit for the railroad companies availing themselves of these Porto Rican laborers, the agents and representatives of the Porto Rican Association of the United States shall be also held and considered for this purpose as the agents and representatives of the said railroad companies, and in this capacity they shall be furnished transportation by the said railroad companies without cost or expense to this Association, not only over the lines of the said railroad companies but also over all such connecting lines and conveyances as shall be necessary to carry them, the said agents and representatives as aforesaid, to and from the places where their presence shall be required in this connection. With the same object in view, the said railroad companies shall lay at the disposal of the said agents and representatives as aforesaid, every facility and regard consistent with the demands of the road and a just and due regard

FOURTH. That with a view to correct any mistaken notion, impropriety, or abuse in the handling and treatment of these laborers and workers, whether in regard to working or living conditions, this Association shall from time to time, as such conditions shall demand it, and as a result of its investigations as aforesaid, render a detailed report to the railroad companies directly, with such recommendations as it shall judge proper to make, and if not properly attended to or disregarded, complaint shall be lodged with your Department, for such action as it shall see fit to take.

FIFTH: That whenever the railroad companies shall have any serious cause of complaint against these Porto Ricans, or entertain any reasonable apprehension of trouble, unrest or dissatisfaction among them, which may have a pronounced tendency to disturb the good harmony which ought to exist between them, the said railroad companies or the one immediately and directly affected in the matter, shall notify this Association, either directly or through your Department, with a view to steady the situation and reach a prompt and satisfactory adjustment of the same.

SIXTH: That in case of disagreement between this Association and the railroad companies as to the course to be followed for the solution of any given controversy along these lines, the matter shall be referred to the Department of Labor for arbitration and settlement.

It may not be, perhaps, out of place at this time that we expect to enroll as members of this Association all the Porto Ricans who may come to this country to work on the railroads, and in case that the foregoing articles should receive the indorsement of your Department and be agreed to by the railroad companies, this Association, entirely assured of their fair treatment

(6 Aug 17)

F. C. Roberts.

and that no serious misunderstanding could arise between these Porto Ricans and their employers, which could not be easily adjusted in the manner suggested, and thus prevented from affecting in any disadvantageous manner the relations between Porto Rico and the United States, which is really the chief concern of this Association, would proceed without later ~~... in the press of Porto Rico to bring~~ about a speedy realization of the plan to which you have so patriotically and efficiently given such a satisfactory impulse.

Please, be assured, Sir, of my highest consideration.

President.

The Filson Historical Society



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TRANSLATION  
FROM "LA DEMOCRACIA"  
ISSUE OF APRIL 4, 1919.

ABOUT GOVERNOR YAGER'S STATEMENTS  
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REPORT OF THE COMMITTEE ON THE WHOLE OF THE SENATE  
RELATIVE TO THE RESOLUTION ADOPTED BY THE LAT-  
TER WHICH WE PUBLISH YESTERDAY.  
----

TO THE SENATE OF PORTO RICO.

The Committee on the whole after having taken into consideration certain statements made by the Governor of Porto Rico in his annual report of 1918, has the honor to report as follows:

1. That on page 4 of the mentioned report the Governor of Porto Rico makes the following statements in commenting upon the inauguration of the present regime of civil government:

"Owing to the lack of experience on the part of most of the members of the legislature in the actual working of a government of this sort, and owing to the many opportunities offered by this first session for a conflict of views, there arose some friction between the executive and the legislative branches of the government which culminated in an effort on the part of the legislature to take a recess of two and one-half months, or until February 5, 1918, instead of adjourning sine die. This was done upon the theory that certain clauses of the organic act gave the legislature the power to take long recesses from time to time and practically hold itself in continuous session throughout the whole two years of its legal existence.

The governor, however, would not accept this interpretation of the law or agree that the legislature could recess in this manner or lawfully reassemble after having done so. However, after sober second thought, both parties to this controversy became more conciliatory and agreed to compromise most of the points in dispute so as to work together. The legislature met, pursuant to adjournment, on February 5, but took no action except to adjourn, and thereupon the governor called a special session which promptly assembled and finished up the work of the previous session, including confirmation by the senate of all of the appointments of the various officials."

2.

II. The following is a statement of the facts in connection with the matter in question:

(a) On November 26, 1917 Concurrent Resolution No. 4 of this Senate was approved, "to recess the session of the present Legislature until February 4, 1918" (See Senate's Journal, 1917-18, pages 827-828), and in accordance with the said Resolution the Legislative Assembly resumed its session on February 4, 1918 and not on February 5 of the said month and year, as erroneously stated in the above-quoted excerpts from the Governor's report.

(b) In the mentioned session of February 4 of last year the Legislature resumed its session and the Governor of Porto Rico was notified that this Legislature had "RESUMED ITS LEGISLATIVE WORK" by a Committee appointed for the purpose.

(c) During the session of February 5, 1918, to which the Governor specifically refers the Senate of Porto Rico acted upon and disposed of the following matters, as may be seen on pages 856 to 879 inclusive of the Senate's Journal:

1. It received a report from the Governor advising of the approval of 75 bills which had been passed by the Legislature before it took a recess in the month of November of 1917.

2. It also received a report from the Governor advising that he had vetoed 8 bills that the Legislature had also passed before the said recess had been taken, and, in connection with these vetoes ACTION WAS TAKEN BY REFERRING THEM TO A SPECIAL COMMITTEE FOR SUCH RECOMMENDATIONS AS IT MIGHT DEEM PROPER TO MAKE IN CONNECTION THEREWITH. This Commission was appointed forthwith.



3.

3. A communication was received from the Speaker of the House of Representatives appointing the members of the Commission in charge of the Library of the Legislative Assembly.

4. The Senate members of the Commission referred to in the above paragraph was appointed by the President of the Senate.

5. Another communication was received from the Speaker of the House advising of the appointment of the members of the House forming the Economic Commission created by the said Legislature.

6. A proclamation was received from the Governor of Porto Rico dated February 4, 1918 calling for an extraordinary session of the Legislative Assembly. In connection with this call the Senate unanimously resolved "to take no action upon the mentioned call for an extraordinary session, because the Legislative Assembly being still convened in regular session recessed on November 26, 1917 and resumed under yesterday's date, February 4, 1918, the said call is not in order".

7. Senate bill No. 107 which had been returned by the Governor without his approval was reconsidered and reenacted on third reading, which was communicated to the House of Representatives. On the same date the said House notified the Senate that it also had reconsidered and approved on third reading the bill in question; whereupon the President of the Senate ordered that the same were submitted to the Governor for his consideration and approval.

(4-Apr-19)

4.

8. A Commission from the House was received which informed that the said body had terminated its works and was ready "TO ADJOURN THE SESSION OF THE PRESENT LEGISLATURE, provided the Senate had no matters pending action and was also ready to adjourn". The President of the Senate advised the House Committee that the Senate had some matters still pending for which reason it could not as yet join the House in its mentioned resolution.

10. The Senate adopted a resolution of sympathy to the families of the late Dr. Santiago Veve Calzada and Mr. Julio Brenes.

11. A resolution was adopted by the Senate with reference to Colonel Townshend.

12. A resolution was adopted with reference to the present to be made to Representative Ernesto Pagán on account of his voluntary enlistment in the Army.

13. A resolution was adopted to adjourn until February 6, 1918.

(d) During the session of the said sixth day of February, the First Session of the Ninth Legislative Assembly of Porto Rico was adjourned. (See Senate's Journal, page 879 to 881 inclusive).

In view of the facts as above-stated,

III. Your Committee believes that the Governor's statements contained in the above quoted excerpt from his annual report regarding the attitude assumed by this Legislative Assembly in its meeting of February 5, 1919 are absolutely inexact; and your Committee furthermore affirms that this Legislative Assembly has never resigned

(H Apr 19)

5.

nor even ceded anywhere the right it then maintained, it now maintains and shall always maintain to extend its regular legislative sessions for more than ninety days, and to take a recess whenever it may deem it indispensable or convenient for the public interest.

IV. That the Legislative Assembly of Porto Rica should protest against such erroneous and improper statements on the part of the Chief Executive.

V. That for the reasons stated and with a view of realizing the purpose aimed at, your Committee believes that the draft of resolution hereto attached should be approved.

Senate Halls, San Juan, P. R., March 27, 1919.

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TRANSLATION.

FROM "EL TIEMPO", Issue of April 7, 1919.

VOTE OF CENSURE AGAINST THE GOVERNOR.  
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When discussion began on the resolution read by Senator Iglesias, and which it was resolved should be accepted in its entirety by the Committee, Senator Susoni moved that both the report and the resolution should be voted upon separately. The Senate resolved to discuss and vote upon both together.

Senator Barceló called upon Senator Frank Martínez to occupy the chair that he might be able to take part in the discussion of the resolution.

Senator Barceló began by proposing the following amendments: that the phrase "and under the signature of the Governor of Porto Rico", be eliminated from paragraph I and the following words inserted in lieu thereof: "Annual Report of the Governor of Porto Rico for 1918". The paragraph would then read as follows:

1.- "That on page four of the mentioned Annual Report of the Governor of Porto Rico for the year 1918, the said official makes the following statements, in commenting upon the inauguration of the present regime of Civil Government."

Senator Barceló also proposed the elimination of the following words from paragraph III: "Your Committee believes that the statements made by the Governor in the above quoted excerpts from his report relative to the attitude assumed by the Legislative Assembly during its session of February 5, 1918 are absolutely inexact; and your Committee further-more affirms that this Legislative Assembly," the paragraph to read as follows: "This Senate has never renounced nor even ceded

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(17 Apr 19)

anywhere the right it then maintained, it now maintains and it shall always maintain to extend the period of its regulars Legislative sessions for more than ninety days and to take recess whenever it may deem it indispensable or convenient for the public interest".

Senator Tous Soto opposed the elimination stating that if the statements of the Governor were inexact there should be no fear to so state<sup>it</sup>; that it was not enough to state the facts; that the facts ought to be given the qualification they deserved.

At the request of Senator Barceló paragraph IV was entirely eliminated, which paragraph reads as follows:

"IV. That the above quoted excerpts from the report of the Governor of Porto Rico contained statements disparaging to the Legislative Assembly, and that such statements were made without any ground therefor and present the Legislators of Porto Rico as men incapable for the exercise of the rights and powers granted by the Organic Act". Senator Barceló moved that paragraph IV be substituted by the following: "IV. That the Senate of Porto Rico must protest in some form against such erroneous statements on the part of the Chief Executive".

Senator Tous Soto did not oppose the said amendment submitted by Senator Barceló, but proposed as an amendment to the amendment the insertion of the following words: "Erroneous and unjust statements" as said statements deserved both qualifications. The statements were erroneous as they were not in accordance to the actual facts, and unjust because they were made by Arthur Yager, who qualified the Porto Rican Legislators as lacking experience, forgetting that many of them have exercised legislative functions since the establishment of the Civil Government.

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The amendment to the amendment was defeated, whereupon Senator Giorgetti moved that the phrase should read "Erroneous and improper statements" and this motion was carried.

The following were the most important amendments to the Resolution: To make the concurrent resolution a resolution of the Senate, on motion of Senator Giorgetti.

Senators Tous Soto and Santoni opposed the motion, because the Governor's statements were addressed against the capacity of the Legislative Assembly, collectively, as a body, and therefore, the protest should proceed, not from one branch of the Legislature alone but from both Houses jointly.

Senator Barceló argued that the Governor might return the concurrent resolution without his approval, but this argument was refuted by Senators Santoni and Tous Soto who stated that such resolution did not require the Governor's approval and that it should not, therefore, be submitted to his approval. Senator Giorgetti's motion was carried.

Another amendment was the substitution of "Whereas" IV, reading as follows: "Whereas the statements above quoted in the first paragraph of the preamble ~~whereof~~ might be interpreted as a declaration of incapability injurious to the dignity of this Legislative Assembly"; by the following: "Whereas it is evident that the statements quoted in the first paragraph of the preamble ~~whereof~~ involved a declaration of incapacity injurious to the dignity of this Legislative Assembly, which constitutes the genuine representation of the People of Porto Rico."

The substitution was proposed by Senator Barceló and seconded by Senator Giorgetti.

Senator Tous Soto was opposed to the substitution stating that if the Governor's phrases were susceptible of interpretation in two different senses, either

involving censure contempt or an imputation of incapacity or involving no censure or contempt, the Chief Executive should be given the benefit of the doubt and no protest should be made against his statements; but if such phrases might be interpreted in any way as an imputation of incapacity, then it should be so stated in a positive way.

Senator Iglesias moved that the following paragraph be added: "Whereas, the Supreme Court of Porto Rico has confirmed the right of the Legislature of Porto Rico to take a recess whenever it deems it convenient for the public interes".

The motion of Senator Iglesias was unanimously approved.

Another amendment presented was to the effect that a copy of the resolution were sent to the President of the United States and to the Resident Commissioner of Porto Rico at Washington.

Senator Tous Soto opposed the motion on the ground that the Governor's report is already in the hands of the Congress of the United States and of its Committees of Insular Affairs, and publicity should be given to the rectification so that the capacity of the members of the Legislature of Porto Rico should not be doubted.

Accordingly after the "whereas" the second paragraph was drafted to read as follows: "II. That a certified copy of the Resolution be transmitted to the President of the Committee of the Senate of Pacific Islands and Porto Rico, to the President of the Committee of Insular Affairs of the House of Representatives, to the Secretary of War and to the Resident Commissioner of Porto Rico at Washington".

It is not, therefore, true that Senator Tous Soto insisted upon the conclusion in the resolution of strong



phrases against the Governor.

The Resolution contained no such phrases and Senator Tous Soto did not object to any correction of phrases but he was opposed to any "beating about bushes".

It is also not true that the Resolution was drafted by Senator Iglesias. Senator Iglesias adopted it as his own but the Resolution was drafted by the Special Committee appointed for the purpose and was <sup>on</sup> ~~in~~filed in the office of the Secretary of the Senate for several days. In all the votings Senators Santoni and Tizol joined the Republican and Socialist Minorities.

The Filson Historical Society



TRANSLATION.

FROM "EL TIEMPO", Issue of April 4, 1919.

VOTE OF CENSURE AGAINST THE GOVERNOR.  
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During the first days of the present Legislature Senator Iglesias submitted to the consideration of the Senate the official report of Governor Yager to the Secretary of War, containing certain statements which Senator Iglesias considered as disparaging to the good name of the Legislature of Porto Rico.

The Senate appointed a committee to study the scope of such statements and to report to the Senate as to the action that should be taken in connection with the matter.

Senators Giorgetti, Busoni, Santoni, Feliú and Iglesias were appointed to form the said Committee.

In the Senate's meeting held last Tuesday, Senator Iglesias moved that the report of the committee be brought to the consideration of the Senate.

Senator Iglesias stated that no report had been rendered, as he was the President of the Committee and he had no knowledge of such report, for although in the last meeting held by the Committee all the members thereof had given their opinion on the matter in a general way no final agreement had been reached.

As a result of these statements a debate ensued among some of the members of the Committee and Senator Giorgetti requested that he be relieved as a member of the Committee.

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Senator Iglesias requested that the matter be brought in its present state for discussion by the Committee on the whole and so it was resolved.

In the meeting held on Wednesday after-noon Senator Iglesias read the report that he was preparing for the Committee of which all members approved with the exception of Senator Giorgetti, and asked that the report read by him were accepted in its entirety as the report of the Committee. It was so resolved and the discussion was commenced.

It is well to consider that the report read by Iglesias was prepared by Senators Santoni, Susoni, Feliú and Iglesias. The report reads as follows:

(See Translation of Article appearing in the issue of "La Democracia" of April 4, 1919.)

TRANSLATION  
FROM "LA DEMOCRACIA"  
ISSUE OF APRIL 3, 1919.

RESOLUTION ADOPTED BY THE SENATE

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To rectify certain statements made by the Governor of Porto Rico in his annual report bearing upon the attitude of the Ninth Legislative Assembly of Porto Rico, First Session, and to reestablish the truth in connection with the matter.

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WHEREAS, on page 4 of the annual report of the Governor of Porto Rico for 1918, said official commenting upon the establishment of the new regime of civil government for Porto Rico created by the Organic Act of March 2, 1917 and the attitude of the Ninth Legislative Assembly during its First Regular Session, makes the following statements:

"Owing to the lack of experience on the part of most of the members of the legislature in the actual working of a government of this sort and owing to the many opportunities offered by this first session for a conflict of views, there arose some friction between the executive and the legislative branches of the government which culminated in an effort on the part of the legislature to take a recess of two and one-half months, or until February 5, 1918, instead of adjourning sine die. This was done upon the theory that certain clauses of the organic act gave the legislature the power to take long recesses from time to time and practically hold itself in continuous session throughout the whole two years of its legal existence.

The governor, however, would not accept this interpretation of the law or agree that the legislature could recess in this manner or lawfully reassemble after having done so. However, after sober second thought, both parties to this controversy became more conciliatory and agreed to compromise most of the points in dispute so as to work together. The legislature met, pursuant to adjournment, on February 5, but took no action except to adjourn, and thereupon the governor called a special session which promptly assembled and finished up the work of the previous session, including confirmation by the senate of all of the appointments of the various officials."

(3 Apr 19)

2.

WHEREAS, such statements are entirely erroneous in so far as they relate to the extension of the session of the said Legislature and the attitude assumed by the latter, inasmuch as, contrary to what is stated by the Governor, the minutes of the session show that the Legislature took a recess on November 26, 1917 until February 4, 1918, in which date the session was continued in accordance with the Recess Resolution adopted and continued until the 6th of the same month and year when it was terminated by the ~~own~~ free will of both Houses of the Assembly; and also, contrary to what the said official states, during those last three days of the session numerous matters of a purely legislative nature were finished up and acted upon, among which is the approval in third reading by both Houses of Senate bill No. 107. (Journal of Senate, 1917-18, page 856 to 879 inclusive);

WHEREAS, on that same date of February 5, 1918 the said Senate, by the unanimous consent of its members present did, as is shown in its Journal, refuse to take into consideration a call from the Chief Executive received on the same date for an extraordinary session of the Legislature "because the Legislative Assembly being convened in ordinary session, recessed on November 26, 1917 and resumed on yesterday's date, February 4, 1918, such a call is not in order," thus demonstrating that it neither recognized nor acceded to the claim of the Chief Executive that the Legislative Assembly had not the right which it had already exercised of continuing its regular session for all <sup>such</sup> time as the public interest and the exigencies of the legislative works would warrant;

(3 Apr 19)

3.

WHEREAS, the Supreme Court of Porto Rico has confirmed the right of the Legislature of Porto Rico to take a recess when it should deem it convenient for the public interest;

WHEREAS, the statements quoted in the first paragraph of the preamble hereof might be interpreted in the sense that they involve a declaration of incapability reflecting upon the dignity of this Legislative Assembly;

WHEREAS, this Legislative Assembly must be consistent with the attitude assumed by it during the session referred to by the Governor, and furthermore must hold itself firm in its attitude assumed in defense of people's rights;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF PORTO RICO:

First.- To protest against the erroneous and improper statement of facts made in the annual report of the Governor of this Island for the year 1918 and to express its displeasure for the unjustified imputation of inexperience contained in the said report.

Second.- That a certified copy of this Resolution be transmitted to the President of the United States, the Secretary of War and the Resident Commissioner of Porto Rico at Washington.

PORTO RICO AND THE "LIBERTY LOAN."

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I have noticed in the newspapers the statement that the subscriptions to the United States bonds called the "Liberty Loan" aggregate about \$300,000.00. Considering the short time that was given to make known the terms and conditions of these bonds and the comparatively little effort that could be made to direct public attention to them, I think this is a good showing. And yet I do not think that this is enough to fairly indicate the patriotism, the good judgment and the wealth of the Island. These bonds of the United States Government constitute an excellent investment for all classes of people; the rich, and the poor alike. First, they are absolutely safe for they will never be worth less than the price at which they are offered now. Secondly, they are absolutely liquid, because they can be turned into cash at any time without loss. Thirdly, they are entirely free from taxation of any sort (except the income tax).

By using the cables for sending subscriptions to Washington, a few more days may be allowed our people to subscribe for this loan, and I feel sure that if they are given an opportunity they will roll up the aggregate to at least a half million dollars. All of the banks

will explain the terms and conditions of payment and receive subscriptions up to noon June 14th, and the Treasurer of Porto Rico will cable subscriptions to Washington free of charge. In addition to the banks ~~and~~ I will appoint the following gentlemen as a special committee to explain the loan and receive subscriptions.

Let us all cooperate with them in this important matter which represents <sup>a</sup> good business opportunity and patriotism combined.

The following is the Committee:

Mr. Eduardo Giorgetti, Chairman,

Mr. E. W. Keith,

Mr. Rafael Castro Gonzalez,

Mr. José Benitez,

Mr. Charles P. Hill.



Statement by the Governor.

TO THE PEOPLE OF PORTO RICO:

I wish to congratulate the people of Porto Rico for their manly and courageous conduct during the crisis of the past few days since the sinking of the "Carolina." I wish to express my condolence and sympathy for those who have lost their loved ones in this tragic affair, and also to express gratitude that the losses were relatively so few out of the large number of passengers and crew who were aboard the ill-fated ship. The sinking of this vessel was a dastardly outrage under the circumstances and for the first time has brought home to the people of Porto Rico a fuller sense of the nature of the war in which we are engaged and of the character of our enemies. Our people have shown a fine spirit of patriotism and courage. Literally scores of telegrams and letters have poured into my office from organizations and individuals expressing their patriotic spirit and offering themselves for any service in which they might be useful. These messages are too numerous to answer personally, but I desire to express in this public way my appreciation of all of ~~these~~ messages and ~~many~~ <sup>their</sup> proffers of service. Undoubtedly the best channel of service immediately open to all of us at present is to exhibit our feeling by a liberal contribution to the American Red Cross. The debt due the German Government on account of the "Carolina" must be

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paid on the battlefields of France or on the ocean, and when we begin to settle the score in this way the American Red Cross will have need of all the funds they can secure for their work of mercy, of succor, of reconstruction and consolation for those of our soldiers and sailors who will be wounded and suffer privations while performing their dangerous duties <sup>in this conflict</sup> ~~on the battlefield~~.

Due to the crisis caused by this disaster, some precautionary measures of various sorts have been taken by the Government to guard against all contingencies. These measures will be relaxed or modified as conditions may change, but I am confident that our people will cheerfully comply with them while in force. In cases of this kind the old adage that "an ounce of prevention is worth a pound of cure" should be promptly applied.

ARTHUR YAGER.

ARTHUR YAGER.

In view of the reduced amounts which under existing law will be available as sources of income during the fiscal year 1918-19, it has been found necessary to confine the estimate of appropriations, as above submitted, within the strictest limits of economy, and, in general, the appropriations made for the current fiscal year of 1917-18 have been followed, with some slight modifications which the changed conditions of the Government's service or the need for stricter economy have made necessary. Should means for providing new revenue be adopted by the Legislature, thus permitting of further appropriations, it is recommended that attention be given the following items, which have been requested by the respective heads of departments but have been omitted from the foregoing estimate in order to confine it within the limits prescribed by the available revenue:-

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# Menu

Banquete ofrecido por sus amigos

al

**Hon. Gobernador Arthur Vayer**

Entremeses Palace    Consomme Royal

Mero Poche Demidoff

Filete Mignon Princesa

Polla Grille Habanaise

Papas Chateaux

Guisantes Saute

Zanahorias    Ensalada Sorpresa

Biscuit Glace

Demi Tasse

Tabacos

Hotel Palace

San Juan, P. R. Mayo 19

1921

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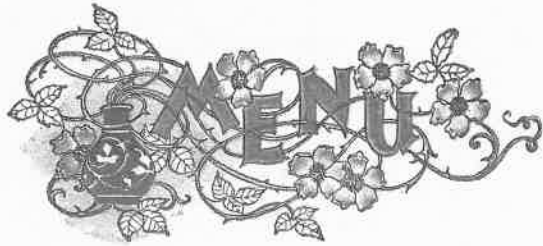
R. Rueda Gago  
L. B. Campillo  
G. Antón  
Eduardo Linares  
M. M. Morales  
Emilio B. B. B. B. B.  
Manuel V. V. V.  
Juan P. P. P.  
J. C. Seguros  
Miguel A. A. A.  
Joseph A. A. A.

Dr. J. J. J.  
M. Rivera Ferrer  
González Ginorio  
D. M. M. M.  
Francisco Martínez Sola  
Celestino Perito  
José Pinedo Defueta  
Enrique Vidal  
Miguel Juana Monrazón  
J. F. Pérez Almirante  
José Almirante  
Jorge P. P. P.



August 1871  
Luis P. P. P.  
T. M. Schuck.  
Rodolfo del Valle.  
Juan Cardona.  
Ernesto Cardona.  
E. Auffard.  
D. Jacob B. P.  
M. P. P.

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Banquete ofrecida por sus amigos  
al  
Hon. Gobernador Arthur Vayer

Entremeses Palace Consomme Royal  
Mera Poche Demidoff Filete Mignon Princesa  
Pollo Grille Habanaise  
Papas Chateaux Guisantes Saute  
Zanahorias Ensalada Sorpresa  
Biscuit Glace Demi Tasse  
Tabacos

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San Juan, P. R. Mayo 19  
1921

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