

Washington, D.C.,  
December 1, 1921.

Hon. Jose Tous Soto,  
Ponce,  
Porto Rico.

My dear Senator:

Since my last letter to you, I have received yours of November 22, which I have not brought to the attention of the Governor because his mind is still taken up with the troubles which he brought from Porto Rico, and you will understand that, until he has disposed of this subject in his conferences with the Secretary of War and the President, he will not be in shape to take up any new matters.

As I am writing just one letter and will send copies to our different friends, I must say that I have also received two very interesting letters from Mr. Feliu of November 18 and 23; also a very, very interesting one from Dr. Briosco, and another letter from Mr. P. J. Barbosa, and the contents of all of these letters have helped us a good deal in certain particulars in connection with our commission here.

As to the matter of the fire on board the steamer TANAMO, I want to say at this writing that I disclaim any responsibility for newspaper reports in which I am made to appear as accusing any one of incendiarism. I was very careful when I sent my first cablegram to The Times in saying that the officers on board said they thought the fire was of an incendiary nature.

I do not know whether you are aware of the intercepting in San Juan of two telegrams which were sent the week before we sailed by Mr. Cesar Gonzalez and Mr. Coll Cuchi to the newspaper in Ponce called El Dia, a translation of which follows:

"The rat trap is moving. The rats will be caught and crushed. Great uneasiness is noted among the five. The hour for them is at hand. They expect it and terror has unnerved and cowed them."

"Don't pay any attention to comments. Everything goes well and we are in mutual accord. Barcelo counsels that we maintain the same attitude and that no one leave his post. Commission will leave next week. A mortal blow has been prepared. We will advise you in time."

The reason that I copy these telegrams is that they may tend to show that they might have some bearing upon the fire, although I hope, for the good name of our country, that a thorough and impartial investigation will show that the fire was accidental. Thank God no life was lost, and I can assure you, as I wrote you in my first letter, that for my part I did not have a single moment of uneasiness, perhaps because I did not know the graveness of the situation as I always thought that it was a small, insignificant matter.

At this writing, and this is Thursday, things are in the following shape:

The Governor saw the President Friday of last week and had luncheon with him, and the whole situation was gone over. Although the President did not give out anything personally, all the newspapers in the country published the news coming from the White House that Governor Reily would be sustained and backed by the Administration in the stand which he had taken in Porto Rico. The most significant and interesting of these reports was published in the Kansas <sup>City</sup> Star which you know is a paper unfavorable to Reily, and the story given in that paper went into details as to the different flimsy nonsensical complaints made by the Barcelo crowd and that the President had told Governor Reily that he would be sustained to the limit. This, coming from the Star, is very significant and, as you will understand, has given Reily a good deal of pleasure.

Reily told us that his talk with the President had been very satisfactory and more so that with Mrs. Harding at the luncheon table; in fact (and, of course, this is not for publication), Reily said that President Harding in referring to all the Porto Rico subject was more profane in his language than he, Reily, sometimes was, and went to the extent of saying that from the moment he

saw Barcelo he knew from a study of his face that he was "no good", adding that the man we have here in Congress is "no better". Reily told us that he had requested the President not to see Barcelo and his crowd and that the President had promised to follow his advice and that he would simply refer them to the Secretary of War for any complaint which they might bring up, and that through his private secretary.

The President told Reily that the only two criticisms he had to make of the entire matter were, first, that he perhaps had not been tactful enough in the handling of the situation, but, of course that was not a complaint to make against Reily because it is difficult from Washington to understand a situation which Reily on the spot knew better than the President. The second criticism was that after firing a judge he should have left him fired and not reinstated him.

On Monday last we, in a group, went to see General McIntyre, and he told Reily that there was no complaint filed in his office against the Governor; that our Commissioner had showed him a cablegram purported to be signed by thirty-nine members of the local legislature, setting forth a long list of complaints against Reily, many of said complaints being of a silly, flimsy nature, and that the only seriousness of those charges was the fact that they had been signed by thirty-nine members of the legislature.

To this I answered the General that although I doubted that Mr. Barcelo had the original thirty-nine signatures, he could understand very easily that a boss like Mr. Barcelo could easily obtain by telegraph the authority from these thirty-nine fellows to have them sign anything, including a sentence of death on Governor Reily.

I am not going to tire you with a detailed story of our interview with McIntyre, but will say that from his attitude it was noted that he was feeling his ground very carefully and made it clear to Governor Reily that he had been the friend of all the preceding Governors with whom he had gotten along very well. Of course, you know McIntyre very well and can imagine the way he is and has been proceeding in this matter. Knowing that Reily is sustained by the President, he will be very cautious, and a prudent man as he is, in his attitude toward Reily in his fight with the other crowd.

McIntyre was very positive in his statement to Reily that the Commissioner had never spoken an ill word against Reily to him except on the day he brought the above mentioned cablegram and told him of these charges.

I am glad to report that Reily in one of his hot moments during the conversation told McIntyre that Barcelo had stated to Mr. Luis Toro that he expected to come to Washington and have the Secretary of War call in both Reily and himself and make them come to an understanding, thus saving his face and allowing him to return to Porto Rico with all his prestige. Reily told McIntyre that he had mentioned this fact to the President and told the President what he was now going to repeat to McIntyre -- that the only place where Barcelo could talk to him was down in Porto Rico, sitting in the same chair where every one sits when he wants to talk to the Governor, and that if the President should order him to see Barcelo in Washington and make up with him, he would present his resignation and go back to Kansas City where he could make more money in a more peaceful way than he is doing now in his present job. Reily told this to McIntyre in such a convincing tone that I noticed it made an impression, and when we left the Bureau at a late hour McIntyre came with us and took the Governor's arm and walked ahead, and his attitude was very pleasant towards the Governor.

While I am dictating this letter the Governor has again gone to see General McIntyre to talk about the different bond issues, and at noon he had an interview with the Secretary of War and then would arrange as to our conference with both the President and Secretary Weeks.

When Reily had his conference with the President, the latter told him that as soon as our commission was prepared he would receive us some evening and would have Mr. Weeks present and we would go over the whole situation.

Mr. Mestre came into town a couple of days ago and the mail from Porto Rico brought us the newspapers in which this gentleman appears in a certain attitude not as friendly as we expected. The Governor received from his secretary a translation of the interview given out on the day Mr. Mestre was sailing and certain comments from different quarters as well as the meeting of Mr. Mestre and Mr. Barcelo at the Park.

Mr. Hartzell came to town yesterday and had a long talk with us and referred to the attitude of Mr. Mestre which he criticised very harshly. The Governor said that he would not put Mr. Mestre in the position of doing things which he did not think he ought to do, and therefore would not invite him to be a member of the conferences which we were to have with the President and the

Secretary of War. In this I took issue with the Governor and told him that I thought we should give Mr. Mestre the benefit of the doubt and call him in and let him decide for himself whether he would be willing to go with us and sustain <sup>our</sup> ~~your~~ <sup>his</sup> stand in every respect, or whether he would be willing to stay out and help the other crowd. To this both the Governor and Hartzell agreed, the latter saying that he would like to have Mr. Mestre make an explanation of his purported interview in Porto Rico, and it was decided to call the gentleman up at his hotel and ask him to come over to see the Governor. He came and the Governor placed the matter squarely before him, telling him what we intended to do and what was expected of him in case he should feel that he could do it.

Mr. Mestre answered that he was willing to sustain the Governor in everything which he had done, with certain exceptions -- for instance, the appointments made which he thought should have been made entirely of members of the majority party, following what he called the spirit of the Organic Act. He added that he was not willing to approve any movement tending to amend the Organic Act in a restrictive sense; i. e., using his own words, "to take away from the people of Porto Rico the rights which they now have." At this juncture Hartzell explained that the situation with the Senate when it should meet next February for confirmation of appointments made by the Governor would bring a decided rupture between the executive and the legislative bodies, and that the only cure was the one which is now proposed by Governor Wood in the Philippines for dealing with this question; viz., that when there is a deadlock between the Governor and the Senate in matters of appointment, the same may be referred to the President for arbitration.

Mr. Mestre took a decided and firm stand against this amendment, bringing back the old subject of the spirit of the Organic Act, and although Mr. Hartzell argued with him as forcefully as he knew how as a lawyer, Mr. Mestre without presenting any legal argument at all, stood by his guns and said that he was a Unionist and would not care to break with his party to which he would like to remain faithful and would ask the Governor to let him stay out of the fight, promising that he would not take any part on the other side, with whose attitude he was not in accord, and his decision was so firm on this subject that he wanted to announce that if his resignation as Attorney General was necessary he was willing to hand it in immediately. To this Governor Reilly told him it was unnecessary and that he would allow him to take the stand which he thought conscientiously he should take, and Mr. Hartzell complimented him on the firm stand which he had taken in favor of his friends.

A general conversation followed, different subjects were mentioned, and Mr. Mestre saw fit to criticise the Republican party for counseling the Governor against the Unionist judges in Porto Rico whom he declared were faithful and good officials. At this moment I had to take issue with Mr. Mestre, and we had quite a hot argument in which I told him certain things which had been done during the previous administration in which the Republican party had been stripped of every office in the Department of Justice, even going to the extreme of putting in in Republican towns municipal officials of the Unionist party when the latter party had never been able to gain any foothold in towns like Sar German, Coamo, and others.

I mentioned the fact also of the abolition of the courts in San Juan and how the two municipal judges appointed afterwards were both Unionists in the face of the fact that San Juan is divided into two representative districts and one of these districts was won by the Republican party in the last election.

I must refer to several cablegrams which I have received both from Mr. Feliu and The Times regarding subjects which are now on the table. One of the Mr. Feliu's cablegrams offered to send a strong committee if necessary to join us here, to which I replied that no commission was necessary inasmuch as the Governor would be sustained and backed by the administration.

I don't believe I have anything more to add just now to this letter, which as I said above I am writing on Thursday. I hope to be able to add some new things to-morrow before this is mailed.

I will say that the Porto-Rican Colony in New York has sent a telegram to Governor Reily which is a copy of one sent to the President, sustaining the Governor's attitude and policies. I am enclosing a copy of said telegram with which you will be very much pleased on account of the caliber of the Porto-Ricans who signed the same, and I dare say that they belong to a very high class of people. I was very much pleased to see the name of my old friend Dr. Henna included among the signatures as you know very well the strength that this man has with the Colony in New York.

Friday, December 2, 1921.

There is very little to add to what I have already reported.

The Barcelo Commission came to town and they are all stopping at the Raleigh, but, so far, they have not given any signs of life with the exception of requesting by telephone, and through General McIntyre, that an engagement be made for them to see Secretary Weeks. This interview has been set for to-morrow at 10:00 A.M.

Yesterday afternoon I accompanied the Governor to see Secretary Weeks. The interview was very interesting and satisfactory. The Secretary told Reily that the Commissioner had filed with him a long list of charges, the same that appeared in the newspapers. He brought them forward and read them. They were all explained by Reily, and at the conclusion of the talk the Secretary told Reily the same thing that the President did, and that was that the only thing of which he did not approve was that after firing the Municipal Judge at Ponce he did not leave him fired. Reily explained the reasons for the removal and the reasons for the reinstatement, and the Secretary then approved his action.

Secretary Weeks told Reily that the Administration would back him to the limit and stand by him.

As regards the other Commission, the Secretary said he would require them, through the Commissioner, to make a written complaint of all the charges, and that these charges must be sworn to in order to take any consideration of them. The Governor answered the Secretary to the effect that he would like to be heard on those charges, and the Secretary told him that the Administration would take his word in the matter, but that if he insisted, whenever those charges were presented in writing and signed and sworn to, he would be given a chance to consider them and defend himself.

This morning the Secretary of War saw Reily again, and the latter told him that Mr. Hartzell was with him and had a letter of introduction from a mutual friend, and that Mr. Hartzell would like to talk on Porto Rico matters with the Secretary. To this Mr. Weeks answered that there was no necessity for talking over the subject and that he would receive Mr. Hartzell in due course of time when he could give him more time than at present.

I have seen a cablegram from you this morning to the Governor about a cabled report published in La Correspondencia to the effect that the Governor had been offered a position in the Treasury Department, and I am answering that cablegram to The Times, denying such a happening and stating that the Governor would return in due course of time to Porto Rico as Governor and with the entire backing of the Administration.

I must mention the fact that last evening Senator Iglesias met Mr. Barcelo and his crowd, and the latter told Iglesias that they had the Governor's "goat" and would get rid of him as Governor. They were very positive in their statements and concluded by saying that if Mr. Iglesias would turn around and join them they would be willing to recommend to the President the appointment of a new Governor taken from the Federation of Labor-- to all of which Iglesias laughed.

Mr. Toro of our delegation has been doing very good work in the different Departments here and has been shown all courtesy and consideration, both by Secretary Wallace and Secretary Hoover, as well as by the President and Mrs. Harding. I must say that Mr. Toro wrote a letter to the President, after having had an interview with him, in which he boosted the Governor's (Reilly) administration and policies and included in his letter a strong recommendation for the appointment of Justice Del Toro for the Chief Justiceship when it should become vacant, and this morning was in receipt of an answer written by Secretary Christian saying that the President had read with a good deal of pleasure his interesting letter.

There is nothing more to add except that everything is in good shape and we are in good spirits and expect to be able to report by cable any new developments which, under the circumstances, cannot be otherwise than cheerful.

With best regards, believe me to remain

Very truly yours,

*R. H. Todd*

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