

Washington, D. C.  
January 16, 1923.

Hon. Jose Tous Soto,  
Ponce, P.R.

Dear freind:-

I arrived in New York yesterday about five in the afternoon and there was a telegram awaiting me from Nixon telling me to come over, as things were not looking well; that Towner wanted to see me; that I should not give out anything to the press, and not to talk to any one. On Sunday night young Hartzell, who was a passenger on board, had received an aerogram from his father in New York saying that he wanted to see me surely on Monday, and upon my arrival at the hotel we arranged a meeting for the same evening of my arrival (Monday).

Hartzell told me that last Saturday he had seen the Secretary of War and on talking about Porto Rico he stopped him and told him that matters in Congress were in such shape that many leaders had urged the President to do something in regard to Reily, as the resolution for an investigation on Reily's affairs could not be suppressed, and that owing to the many promises which the President had made to take definite action in regard to Reily, they were able to stay the introduction by Davila of a new resolution which he had prepared. It seems that the President had told majority leader Mondell to wait until the 10th of this month, when he would be ready to take action. The Secretary of War told Hartzell that in his talk with the President he told him that he was not willing to continue holding Reily, because the scandal was becoming a national one, which would affect the campaign next year, and that the President authorized him to tell Reily to present his resignation, which he did. Reily tried to argue with the Secretary, but Weeks was stubborn, and the most that Reily could get out of him was to allow him (Reily) to see the President and talk over the matter. It seems that Reily asked the President to allow him to go back to Porto Rico, but a short while, and the President told Weeks that as he still believes that Reily is an honest fellow, he had promised to allow him to go back for a couple of weeks, which action Weeks did not like.

All this was confirmed by Towner through Hartzell, and both Weeks and Towner suggested that Hartzell and myself should convince Reily that it would be much better for him to stay here and not go back to the Island.

With this information, I came over last night and this morning I saw Towner, who confirmed all that Hartzell had told me, adding that the temper of the Republicans in the House was such that nothing short of a certainty that Reily's resignation was in the hands of the President could detain a favorable report on the resolution to be introduced by Davila.

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Towner told me that in all this matter he was not working for Reilly's interests, but for the interests and good name of the President and the Republican party; that the Republicans in the House are getting "sore" with the President because they claim that he knows of all the complaints brought against Reilly, and that in many instances proof has been shown to the President, and they are getting disgusted because the matter cannot help being taken up during the campaign next year by both the Democrats and the Progressives to defeat Harding's re-nomination and the success of the Republican party. Towner insisted that I should try and convince Reilly that it will do him no good to go back to the Island, and on the contrary, it might bring him a good deal of humiliation and embarrassment to the President. I tried to convince Towner of the fact that the Unionist leaders would take this as a victory in their campaign, but he answered that he could not help that because these Unionists had succeeded in working up a very successful propaganda, both with the Republicans and Democratic members of the House, as well as with the press, and he had to say from his knowledge of the situation, Davila had been acting very well, holding back at his instance and at the instance of Mondell the said resolution for investigation, a copy of which he promised me tomorrow. Towner insisted that I should see the Secretary of War immediately, as he had expressed a desire that I should see him as soon as I arrived in Washington, but owing to the fact that today was Cabinet day and that he had previous engagements for this afternoon, the Secretary of War asked me to come to see him tomorrow morning at ten o'clock.

I sent Geigel a cable today covering all the subjects, and I hope that he has understood them all. I added in my cable that I might decide to go to Kansas City, where Reilly is still nursing his ribs, in case Secretary Weeks should insist that I talk to Reilly on the subject. I want to say that Hartzell showed me yesterday a letter from Kessissinger that Reilly expected to be in Washington on the 20th, when he expected to meet Hartzell, Iglesias, and myself, and go over matters interesting to Porto Rico, but saying nothing about what the Secretary of War had told him, and if you have read the letter from Reilly which I received the day I was sailing, and which I handed to my son, you will notice that Reilly says everything was fine.

I must say that Towner showed me a clipping from a newspaper in Kansas City, giving out the facts surrounding the accident and it is claimed that Reilly was driving in an automobile with two girls and when the accident occurred the gentleman who was in the other automobile requested Reilly to give his name and Reilly replied there was no necessity of giving any name.

I forgot to state that Secretary Weeks told Hartzell that his candidate to succeed Reilly was General Banholtz, but that the President had spoken to Towner and Towner had half accepted the offer and he believed that Towner wanted

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the place. For this reason, when I spoke to Towner this morning I asked him who was going to be Reily's successor, and he told me that the President had spoken to him and wanted him to accept but that he had not given any positive answer because he wanted to talk to me about it and he then asked me whether or not I thought that he could tackle the situation, knowing it from different angles, as he does. To this, I answered frankly, that if he intended to let the Unionist part have their own way in the matter of appointments, in other words, if he intended to change the personnel of the President's Cabinet and yield to the pressure of Barcelo and his friends and appoint candidates presented by them, he better stay in Congress, for he would be a second Yager. To this, Towner seemed somewhat offended and answered that I was very much mistaken in my supposition and that he honestly believed that if Barcelo and his friends were asked about his appointment as Governor, they would surely request that somebody else be picked, because he has given Davila and others to understand that he is in sympathy with Reily as to matters of principle and the only opposition he has to make to Reily is in the crude way of administering the affairs of the Island, and for his lack of tact and diplomacy.

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Wednesday, January  
17th, 1923.

I saw Secretary Weeks this morning, and everything that Judge Towner has told me was confirmed, with only one exception; that is, that I did not find the Secretary so much insistent upon Reily not going back, although he said that it would be the best thing for Reily to do. He asked me the question, "What might happen if Reily should go back?" And I replied that the worst that would happen was that on the convening of the Legislature on February 12th Reily would send in both his message and the names of his appointees, and that according to the news I had, the Majority party intended to send back both, with the remark that "Reily can go to H\_\_\_." To this, the Secretary said that if that was going to happen, he would rather have Reily go back and go through the experience, and then would be the time for the Administration to urge Congress to amend the organic Act in such a way that a repetition of this could not be had, for, as he said, we must defend the principle that a Governor has the right to select his own cabinet and other appointees, and the Administration cannot afford to send a new man to Porto Rico who might have to go through the same experience as Reily. Weeks went through a long statement, making comparison between this situation and what might confront the President, if on any occasion the Senate would happen to behave in the same way as the Senate of Porto Rico, something which is unheard of up in this country. When I told him that Judge Towner had suggested that I induce Reily to stay up here and not go back, he said that if that could be done, it would be a very good thing, but that he doubted very much that if Reily had made up his mind, whether I could have him change it. The fact is that although I am about to leave for Kansas

La parte más satisfactoria de mi conversación con el Secretario Weeks fué la que tenía que ver con el verdadero objeto de mi viaje, es decir, la enmienda a nuestra Carta Orgánica que curaría la enmienda de la Ley Electoral nuestra. Le expliqué toda la situación al Secretario y le hice ver que era el único medio por el cual las minorías podrían pensar en derrotar al Partido de la mayoría y entonces le expliqué como vino a presentarse esa enmienda por el Partido Unionista cuando se dieron cuenta de que una combinación de republicanos y socialistas en 1920 pudiera derrotarlos en los comicios. El Secretario Weeks se mostró muy interesado en los detalles y quiso saber para qué puestos haríamos la combinación en el caso que se enmendase la Ley Orgánica aboliendo la enmienda local, y cuando le dije que los puestos incluían aquellos de Comisionado Residente, senadores y representantes y en algunas poblaciones de la Isla los puestos municipales, me dijo que era la cosa más lógica que pudiéramos pedir, ya que, según su modo de ver, era muy democrático y que él mismo algunas veces en su propio pueblo echaba a un lado ciertos candidatos de su propio partido y votaba por los candidatos del partido opuesto cuando los hombres eran mejores que los de él. A esto le contesté que eso podría hacerse en ese país donde el electorado en su mayor parte estaba compuesto de ciudadanos que saben leer y escribir, pero que en nuestro país, donde la mayoría de los votantes son analfabetas, el único medio posible para derrotar a los unionistas en las próximas elecciones sería por medio de una disposición como queda explicada. Entonces el Secretario me explicó que algo parecido había ocurrido con los diferentes partidos políticos en las Filipinas. El Secretario me dijo que el asunto lo había impresionado favorablemente y me pidió que viniese a verlo por medio de un convenio con su Secretario alguna tarde después de las cuatro cuando él no estuviese ocupado y que le trajese todos los datos que yo tuviese y que él estudiaría el asunto y hablaría al Presidente prometiéndome hacer todo lo que estuviese en sus manos en favor de ella.

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City, ostensibly to induce Reily to stay here, I am rather inclined to listen to his argument and see what his reasons are for going back, because after I have read the proposed resolution asking for an investigation in Reily's affairs, a copy of which I am herewith enclosing, and which you will notice contains a big set of falsehoods and lies, I believe that Reily ought to be given a chance to disprove all those things that Mr. Davila and his friends have set up against him. Judge Towner, who loaned me a copy of the Resolution, asked me not to show it to anybody else, but I am having copies made and I intend to hand one of them to Reily so that he will know all about it. Please do not have this Resolution published.

The most satisfactory part of my conversation with Secretary Weeks was that bearing on the real object of my trip, namely, the amendment or provision in the organic Act which would cure the amendment of the local election law. I explained the whole situation to the Secretary, made him see that it was the only means by which the minorities could ever think of coping with the Majority party, and then I recounted the story of how the amendment was devised by the Unionist party when they became afraid that a combination of the Republicans and Socialists in 1920 might defeat them at the polls. Secretary Weeks was very much interested in the details and wanted to know for what offices we would combine in case we could get the organic Act provide for the abolition of the amendment, and when I told him that the offices included those of Resident Commissioner, Senators and Representatives, and in some towns of the Island the Municipal offices, he said that that was the most logical thing that we could ask for inasmuch as, to his mind, it was very Democratic and that he himself sometimes in his own town would disregard certain candidates of his own party and vote for the candidates of the opposing party when the men were better than his. To this I told him that that could be done in this country, where the electorate is in its majority made up of citizens who can read and write, but in our country where the majority of the voters are illiterate, the only means conceivable for defeating the Unionists in the next election would be by a provision as stated. He then explained about something similar that had happened to the different political parties in the Philippines. The Secretary told me that the matter had impressed him favorably and requested me to come in and see him by engagement some afternoon after four o'clock when he should not be busy and bring in all the data I had and he would consider the matter and speak to the President about it, promising to do all he could in its favor.

As an indication that Reily's influence with the President is still strong, the morning papers published the report of a nomination sent to the Senate yesterday for District Judge of Western Missouri in favor of Albert L. Reeves of Kansas City, an intimate friend and protege of Reily.

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I want Mr. Geigel to please attend to the following for me and write me at his earliest convenience, as the Post Office Department requested that I make recommendations in the premises. The Postmaster at Hato Rey, Mrs. Josefina C. Silva, is to be raised to the Third Class, requiring a Presidential appointment from January 1st, at \$1100 a year. I want information as to the political affiliation of this lady, or of her husband, and in case that she is not suitable, I want some one recommended for the position. The Postmaster at Punta Santiago, Mrs. Maria McC. Serrano, a fourth class office, has resigned, and has proposed as her successor Antonio Garcia Marrero. I want to know the politics of the latter and if not suitable, I want a new man or woman recommended.

I had occasion to read the cablegram which was sent to the President from Lares, and signed by Sein, and others, including the Catholic Priest, protesting against the commissioning of young Paniagua, for immoral conduct and requesting an investigation. They don't say what the immoralities charged are, and for this reason the Department is not taking the matter seriously. I have left with the proper official all the documents I had sustaining Paniagua in his uprightness, and I believe that the First Assistant will decide against the protest. The Postmaster at Lares sent back two official letters that had been addressed to Paniagua at Lares, one of them enclosing his official bond, and stating on the envelopes that he was unknown and did not reside in the town. I took occasion to point out this fact to show that the protest was made simply to try and keep the old Postmaster in office. I hope this matter will be settled very soon.

There is nothing more I can write about today, but hope that by next week we will have new developments and my next letter will be more interesting.

Without any further, believe me,

Yours sincerely,