

March 30th, 1922.

PERSONAL.

Honorable Arthur F. Odlin,
Judge, United States Court,
MAYAGUEZ, Porto Rico.

My dear Brother Odlin:-

Ever since you came to my office and jumped on me for having appeared in your Chambers together with other persons in Shanton's behalf, I have failed to be in touch with you, although I know that our minds have been working in the same direction.

While I am writing about this appearance in your Chambers, let me tell you a story:

One evening about two weeks after that occurrence, I had occasion to call on the Governor and in the course of the conversation, he told me confidentially that, Col. Jarvis, himself and myself had been severely criticized for our action in appearing before you. Of course, I told him that any criticism of my action should be done direct and when I gave to understand that it was the President who had written him about the matter, he made it clear that it was not the President and intimated that it was the Secretary of War. I said that if I ever was criticized direct I would know what to answer in explanation of my behaviour on that occasion.

This story of the so called criticism has its bearing now.

Yesterday morning I called on the Governor and he brought up the question of the pressure which was being brought on him from Washington for the re-appointment of Col. Shanton and he handed me a letter which he had just received thru the mail, written by a mutual friend in behalf of Shanton, but a man who is not in the Government service at all. After reading the letter I told him that I did not see how that letter can be taken seriously as the man did not know the facts in the case. He then told me that he had received a cablegram from the Secretary of War, recommending the reinstatement of Shanton and that he had replied that it was impossible for him to comply with the request and referred Secretary Weeks to a letter which he had written before the receipt of the cablegram.

I then asked the Governor if he was acquainted with the fact that the Colonel had approached certain Sugar Centrals before leaving for the States in quest of money and promising in lieu thereof police protection when he returned to Porto Rico. He said he knew about these facts and he also knew that an intimate friend of his (the Governor) has loaned Shanton \$1,000.00. He also said that another friend of his told him that Shanton, defending himself of the charges, said that the fight was made by the "whisky ring" at the head of which was Governor Reily. Reily also said that he had found out that Shanton had deceived him in many of his official informations and so forth and I then had to tell him that I did not see how in the face of all that, he could afford even to think in the re-appointment of such a man, to which he said that if the Secretary of War commanded him to do so, he could not help doing it and then it was that I turned to him and said: Did you not tell me some time ago that the Secretary of War had criticized you, Col. Jarvis and myself for appearing before Judge Odlin, requesting clemency for the Colonel? The Governor saw the point and took it down to write it to Washington.

I then told the Governor that Shanton before leaving for Washington had approached me with the request that I should write the Governor a letter recommending his re-appointment and that I should get a similar letter from Senator Tous Soto, Shanton explaining that he had been promised similar letters from Barcelo and Iglesias. I told Shanton that if he had the promise of those two letters, I did not see why he needed any more letter and when he insisted I told him plainly that he could not expect any letters from me and I was sure that Senator Tous Soto ~~could~~ never write such a letter. The conversation was very heated and I had to tell him that I had been acquainted with mostly all of the evidence that were kept in the Federal Court. He then told me that the 64 bottles of liquor for which he was sent to jail, had been used when the Congressional Committee came down on a visit and he was ordered by the Reception Committee to place two bottles of brandy in each stateroom (which statement I found out later was a lie, because this visit of the Congressmen took place in 1919 and the seizure of the liquor did not happen until 1921.)

To my surprise, when I came back to my office yesterday, I found a letter from Lee Nixon and listen to what he has to say about the Colonel: "I saw Shanton last night for the

first time since the day he arrived here. He has been busy rounding up his friends and bringing such influence as he could for reinstatement as Chief of Police. He told me that Mosses wired Odlin, asking if he (Odlin) would object to Shanton's reinstatement, and said Odlin replied that he certainly would not approve. Yesterday morning, Shanton called on Secretary Weeks and presented his case and made an appeal for reinstatement. He was accompanied by Gen. Pershing, Gen. Harbord, Assistant Secretary Wainright, and other friends, he says, and before leaving, the Secretary sent a cablegram to Reily saying that he would appreciate it if Shanton was reinstated. This is Shanton's story to me. He says, at the Department of Justice he was told, that in the opinion of the Department, he got a raw deal."

This morning Bennett came to see me with the story that around town it was said that Shanton had been re-appointed, a fact which I found out later when I saw the Governor, that it was not true and I could see by the Governor's face that he was honest in his denial.

Another thing: May be rumors don't get so quickly to your ears. Confidentially, I will tell you that the Governor, after having a meeting with several Unionist Senators in Mr. Gonzalez's house at Salinas last Friday, met in that same house yesterday Don Antonio Barcelo and had a long talk with him and the Governor did not return to San Juan until 4 o'clock this morning. The result of the conversation, I have been unable to find out as the Governor was very busy when I saw him this afternoon, but I suppose that Barcelo exacted from him more than the Governor is willing to concede.

I am sorry we are not near so that I could have a chat with you, but some day when you come to San Juan I hope you will honor me with a visit and I will let you know. If in the meantime you see Mayer Wells, he will tell you lots. Suffice to know that the Mayor is disgusted.

Let me hear from you if you have spare time to do so and believe me to remain

Very truly yours,

ORACE M. TOWNER, IOWA, CHAIRMAN.

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COMMITTEE ON INSULAR AFFAIRS

HOUSE OF REPRESENTATIVES

WASHINGTON

H. E. MORRISON, CLERK.

April 19, 1923

PERSONAL.

Honorable R. H. Todd,
San Juan,
Porto Rico.

My dear Mr. Todd:

I am very anxious to know what your views are regarding the present crisis. We are all greatly distressed over recent developments in the Island. Is it possible for the President longer to support the Governor?

Will you write me in confidence what your view of the case is on its merits and what you would advise under the circumstances?

Thanking you in advance, and with kindest personal regards, I am

Sincerely yours,

April 28, 1922.

Honorable Arthur F. Odlin,
United States Judge,
San Juan, Porto Rico.

My dear brother Odlin:-

I am writing you confidentially, and this means for you alone. I had my talk this morning with the Secretary and although it was interrupted several times by long distance telephone calls, it was sufficiently long to cover half of the subjects in issue. I had made up in my mind the way in which I thought I should bring up the subjects in our conversation, but, of course, Weeks, who was expecting me, had also made up his mind as to what he wanted to know, and, therefore, he got his mind clear right off, and I had to let mine rest for the next interview.

I told him that my trip was the result of the several last happenings in order to find out how matters stood, as well as to have a heart-to-heart talk with him and if he saw fit that I should do so, also with the President. The subject of the grand jury investigation was taken up thoroughly in all its phases, including what connection Collazo, Mestre, Bonner, and Foote had in the whole affair. The Secretary was amazed when he heard that Bonner had been dismissed from his position as bank examiner and wanted to know what kind of man Bonner was and how he was regarded in our community. He also wanted to know all about Collazo, if Reily's story was true about the bribe business and what his business was up here. He also wanted to know who counseled Reily to go to Salinas and meet Barcelo in Gonzalez house. He also wanted to know all about the Shanton affair.

I am not going to encumber this letter with a long story of every subject, for you know very well what my talk was to be on each subject, and I did not leave anything unsaid. The Secretary told me that he had received on Monday a cable from Reily requesting authority for the appointment of Shanton to a position paying from \$2500 to \$3000 and that he had answered that he could not see where he had anything to do with that, but he thought that if Shanton was unfit to be reinstated in his old position, he was also unfit for any other job in the insular government. Here the Secretary remarked

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that every time he receives a letter or a cable from Reily he gets more and more convinced that the man is unfit for the position he is holding.

Our conversation lasted more than half an hour and as the Secretary had other engagements for the morning, I told him that I had many other subjects to bring up to his attention and I did not see how I could take up all of his time. He then said he could appreciate it and that he had made up his mind that the best thing to do was to have me go with him to the President and lay the whole situation before him, frankly, but that as the President is now out of town the conversation will not take place until next week, and that he wanted me to tell the President everything, because the President had reached the point where he would have to act in a decisive manner.

I must tell you that I had a long talk with Judge Towner in New York the day after I arrived and he told me that things looked very bad for Reily. That there were insistent expressions of a desire to bring in the House a resolution for impeachment against Reily and he could not see how that could be avoided and voted on favorably, after so many things had been piling up against the man. And, of course, the only way to avoid this would be for the President, well apprised of the situation in Porto Rico, to decide to bring him home, thus avoiding also any subsequent action in Porto Rico on account of the grand jury's findings.

You can understand, after reading this letter, the delicate position in which I find myself. I have no intention of knocking Reily; on the contrary, I want to defend him as much as possible, but you know that his position is undefensible. Public sentiment here is all against him and the wonder is how the President has stood so long by a man who is discrediting the good American name in such an important position as Governor of one of our territories. I have made it clear to the Secretary, and I expect to do so to the President, that both the Republican party in Porto Rico and the Governor's friends, are upholding him and will continue to do so as long as the Administration keeps him in Porto Rico, but unfortunately, Reily will not follow the advice of his friends and we are sometimes powerless in our good desire to guide him.

Shanton is still here, and I am going to see him tonight and expect to hear lots of "hot air."

I had another letter from Pettingill today in regard to the Judgeship and he refers to a letter which he received from you. He had not yet received the letter which I wrote him from New York, telling him that I had sent you his first letter.

Believe me to remain,

AN OPEN LETTER TO
JOHN L. GAY: GMSOPR--USDA--VNC.

EXODUS
20-16.

Exactly 40 years have passed since I was admitted to the Bar. For 32 years I have been in practice, more or less active, in 8 different jurisdictions; and the other 8 years were spent on the Bench, two distinct appointments to Courts of peculiar importance. This experience has brought me into unusual contact with all sorts of District Attorneys, scattered from Porto Rico to the Philippine Islands: and while I have met quite a number of incompetents who were truthful, and a very small group of competents who were untruthful, I can recall not one except yourself whom I regard as hopelessly incompetent as well as destitute of truth.

So far as the incompetency is concerned, our Heavenly Father will forgive you: because he caused you to be made that way: but the sin of falsehood is something very different.

I have learned since I left Porto Rico on June 8th, how you succeeded in your effort to have a change made on the Federal Bench instead of the change which I demanded in the position of District Attorney as a condition for my own re-appointment. This was done by misleading a new and inexperienced Attorney General at Washington, who was led to believe that I had become mentally deranged; and in this subtle propaganda I am told you were ably aided by Governor Van Deusen, Captain Towner, Major General Cordova Davila, Admiral Tous Soto and other distinguished statesmen who were naturally displeased to see a Judge on the Federal Bench at San Juan whom none of them could control.

And then, not satisfied with winning this bunco game at Washington last May, you learn of my success in promptly acquiring law business of importance and of handsome financial benefit to me in Florida, which caused me to rejoice instead of weep over my separation from the service, so that you seek to injure me by reporting in San Juan in July or August that I am in an asylum or sanitorium at Atlanta under treatment for serious mental disorder. I insist that the Bar and the Public of Porto Rico shall know the facts. In the year 1918 I was for a time a patient of the very able Doctor Bates Block in his private sanitorium at Atlanta, because my own physician in Florida was puzzled to account for several sudden spells of faintness which approached at times a collapse. And I did submit to an operation early in 1918. I had all my teeth extracted. And ever since that time I have been so fortunate as to enjoy sound health. If you would go to Atlanta and have your brains extracted, Mr. John L. Gay, there would be one change and only one change in your own status. But it would be beneficial. You would cease to be untruthful. Otherwise your few friends would observe no difference.

But I have not touched upon the real meat of this letter. What you say about me disturbs me not one atom: on the contrary it rather amuses me. Think of real lawyers (not imitations like yourself and Henson and Wells) such as Charles Hartzell, Jaime Sifre, J. Henri Brown, former Judge Peter J. Hamilton, Don Cayetano Coll and many others, practicing for over four years before a deranged Judge and not one of them observed any sign of derangement. And the entire Bar endorsed this deranged Judge unanimously for re-appointment. Yet you and Dr. Van Deusen and Dr. Towner and the other alienists made it known to Dr. John Garibaldi Sargent at Washington. What a reflection on the intelligence of the Bar of San Juan, Ponce and Mayaguez!!!

The real purpose of this letter concerns an honest loyal public official, John T. Barrett, who has exposed your own unworthiness and whom you are now denouncing as a crook and boasting that you drove him out of Porto Rico, and that he does not dare to come back for fear of an indictment, and so forth and so forth. Yet you were told by Barrett a dozen times in my presence that he would not stay in Porto Rico unless I stayed, - that I as Judge was his only protection against your own abuses. So when the time came for a re-organization of the Prohibition forces under General Andrews, I personally placed before the latter all the facts in regard to Barrett's worth and your own lack of worth. Barrett merely asked to be sent as far away from John L. Gay as possible. And what did General Andrews do? He sent Barrett to Honolulu, where he is now happily located and busy at work with congenial co-workers in the U.S. Court there. Let the public know the facts.

Arthur F. Odlin.

Amherst Club, New York City,
September 30, 1925.

Arthur F. Odlin