

Ponce P.R.
Feb 30th 1899.

Hon. A. C. Sharp

Major & A. A. S. U.S. Vols.

Acting Judge Advocate

San Juan

Sir:

I have the honor to acknowledge receipt of your favor of 27th inst.

If I give you any candid opinions you will probably think I am extreme in my views.

If I am extreme the conditions have made me so.

General Miles made the mistake that most Americans would have made in not taking complete possession when he run up the flag, and in not turning out every thing Spanish and

Spanish inheritances by introducing American laws and methods to be executed by Americans. They were ready to accept it then and the best of them would prefer it now.

You might as well undertake to make white out of black or change the spots of a leopard as to try to make an American form of government with a people who have been taught for centuries under a different and opposite system, using them as a means to do it.

However, the mistake was made and we must make the best of it. While we as a rule object to military rule, I think it by far the

quicker method of Americanizing the Island than to turn it over to the natives to govern. The most intelligent of them and their ablest writers show that they have an incorrect idea of our system of government.

As to your recommendations of March 18th I think they are all good.

It would be well to throw open the Military Courts to the public as an object-lesson to show how courts of justice should be conducted.

I would add to recommendation 4th that when the accused demands an

immediate hearing, he shall have it unless the state or the prosecuting attorney can show good grounds for a continuance.

I would add recommendation 17th that all persons charged with crime are presumed innocent until convicted and the burden of proof shall be on the state or prosecutor

18th That in all misdemeanour ^{cases} or a cash bond may be accepted, and that in such cases the cash bond shall be one half the amount of a personal bond.

19th That all courts shall have expert interpreters for the use of the Courts and the parties.

As to the marriage and divorce laws the most

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pertinent suggestion that I would
make is, that all marriages
whether civil, or solemnized
by a recognized church or
sect, have the same
rights under the civil
law, as to marital rights,
divorce, inheritance and
legitimacy of offspring &c,
but that no marriage shall
be legal, and no rights con-
ferred by any church or sect,
shall be legal and binding
that is in conflict with
the civil laws. Any contracts
made pertaining to marriage
authorized by any sect of re-
ligion and be set aside in
a civil court, if in conflict
with civil law and any
offense against the civil law
punished in the civil courts.

I am sorry that our marriage and divorce laws in the States are not delegated to the general government, and that each state regulates these matters. As each state has different laws on these subjects, complications frequently arise. For instance, in Georgia the requisites for validity to a legal marriage are strict and the grounds for divorce many: Across the river in Carolina it is the reverse. Restrictions on marriage loose and no ground for divorce except for adultery. Consequently many Georgia youths cross the river jump the broom and are married and come back to Georgia to get a divorce, if the family machinery does not run smoothly.

Yours truly
Lowell J. P.