

July 26, 1922.

(PERSONAL)

Honorable Horace M. Towner,
CORNING, Iowa.

My dear Judge:-

This is to acknowledge the receipt of your letter of the 12th inst., written on the eve of your leaving for Iowa.

My last letter to you was dated the 12th inst. and I suppose that you have heard that the Supreme Court decided the cases pending before it, in which the Governor and the Attorney General were interested. Both cases were decided against the Attorney General, but in one of the cases, each member of the Court wrote a separate opinion, giving his views on the subject and that of the Chief Justice contained a somewhat stinging comment upon the Governor's attitude in the premises. I sent you by the last mail a copy of the PORTO RICO PROGRESS, in which you may read a synopsis of the said opinion. I now understand that the Attorney General has sent a translated copy of this opinion to the President and have requested that the Governor be dismissed from office.

In the meantime, the Attorney General has filed with the District Court a motion requesting that the Governor and his private Secretary be summoned to appear before the next Grand Jury which is called to meet on the first of August next. On the other hand, the Attorney General has addressed a communication to the Governor requesting that he dismiss from office, Prosecuting Attorney Arrillaga.

All this means that we are still having the old troubles rehearsed again with no expectation of the Administration will quiet down and to some constructive work for the Island, which is much needed.

We have gotten rid of Mc Clure, the Governor's body guard. He skipt his bail, the Governor helping him get passage on a Government transport and you can suppose what has been said here of the Executive helping a criminal to defeat the ends of justice.

Honorable Horace M. Towner.
Page (2).-

On the 5th inst. I wrote telling you of what I had heard about a man by the name of S. D. Edick, and what the Governor purposed to do for him. I was told yesterday by U.S. Attorney Wells, that this man Edick had told him that the Governor had decided to let the present superintendent of Elections go and appoint Edick in his place.

Now, I want to say to you, Judge, from personal knowledge of the situation, being a member of the Insular Board of Elections, and from a personal acquaintance with the present superintendent, Mr. Keith, that no matter what his politics may be, Mr. Keith, the said superintendent, is a honest man, a good Lwyer, a hard worker with a thorough knowledge of the people and the Island, understanding their habits and peculiarities. He has lived with us for good many years and has not taken any side in politics and all political parties have learned to respect him, as well as his decisions. I don't say that Mr. Keith is indispensable in his position, but the law providing that the Superintendent of Elections must be a man who do not belong to nor have interference with the politics of the Island, it is difficult to get a man of his attainments to succeed him and I dare say that Mr. Edick, is not the man and will only be a figure-head for somebody else to direct his movements and I don't care whether this somebody else happens to be, as it is claimed, Judge Sweet, who is a Republican. I hope the Governor will be prevailed upon by someone and that he will not do the nonsense of putting this man Edick at the head of such an important Board as that of Elections.

My last letter to you conveyed the wrong impression that Mr. Barcelo was sailing on that same date. It happens that he is still here and nothing is said about his leaving, I believe, because his party is still trying to have the Governor call the Legislature in extra session, which Reily says he will never do.

There is nothing more that I can say to-day, except that Hubbard was appointed and he is now awaiting news of his confirmation.

Believe me to remain

Sincerely yours,

Personal.

August 2, 1922.

Honorable Horace M. Tonwer,
CORNING, Iowa.

My dear Judge:-

Supposing that you are still away from Washington, I am writing you to Corning in order to give you the latest news from the little Island.

When I wrote you last, I mentioned the fact that the Attorney General had filed a motion with the District Court requesting that the Governor and his private secretary be summoned to appear before the next Grand Jury. Judge Foote refused the motion and the Attorney General took the matter up to the Supreme Court on Certiorari and the Supreme Court, by a unanimous vote, refused to entertain the writ on account of the lack of time to properly take up the same, inasmuch as the Court was adjourning the next day. From inside information which I received I understand that if the matter had been taken up and gone into by the Court, the result would have been the same because the members of the Court have already made up their minds as to the merits of the subject.

The Attorney General immediately thereafter addressed a communication to the Governor requesting him to use his discretionary powers conferred by the Political Code and call the Supreme Court in extra session to meet on the first of August. To this communication, the Governor has not replied at all and he told me that he will not do as requested.

A few days ago, a morning newspaper called "El Mundo" (The World), published the news that the Governor had written you some time ago boosting Mr. Travieso and suggesting that the latter would succeed Barcelo as the head of the Unionist Party. Of course, you will be surprised to read this as much as I was when I read the news in the "El Mundo".

The following day the same newspaper stated that it was rumored that the Governor had written a letter to Mr. Barcelo denying that he ever wrote such a letter to you. I happened to call on the Governor that morning and asked him whether or not

Honorable Horace M. Towner.
Page (2).-

it was true that he had written such a letter and he went on to explain to me that he had seen fir to do so, because he could not allow it to be stated that he had done such a thing, as he had not written such a letter and he wanted nothing to do with Mr. Travieso. It is well for you to know that he has been informed that Travieso has been knocking him in the States. Of course, I listened to all that the Governor had to say and I remained mum. When the "La Democracia" of that date was published, the letter from the Governor to Barcelo was inserted and the answer of Mr. Barcelo to the Governor, and of course, I was downfounded, not on account of Barcelo's letter to the Governor but of the Governor's to Barcelo. I could not help thinking that the Governor is going to find himself in trouble in case you allowed Cordova Davila to read the Governor's letter written to you some time last April. Following your injunction, I have kept the matter secret, but I doubt very much whether Cordova Davila would kept it secret.

I am enclosing you herewith a translation of both letters, the Governor's and Barcelo's, and I am sure that you will be amused to read them.

There is ~~nothing~~ more to say, except that everybody is expecting that something will happen soon. I believe the best thing that could happen just now would be the change of the Attorney General, no matter when they decide to change the Governor. Mestre is just working in the hands of Barcelo and I cannot see what good it can be to the Administration to have a man like him at the head of such an important Department, as he cannot advise the Governor loyally and the Governor will never consult him neither.

I have given a couple of letters of introduction to you to two dear friends and leaders of the Republican Party, who are going to Washington just on a short visit and I have advised them not to call on you before the 15th of this month. Mr. Huyke, who has just returned, also told me that he missed you and was very sorry that you were not in Washington when he called. He told me that his visit to the President was a

Honorable Horace M. Towner.
Page (3).-

very short one and that the President did not ask him for
Governor Reily at all.

With very best wishes, believe me to remain

Very truly yours,

P. S.

I am enclosing herewith a translation of an article
which appeared in a local newspaper here yesterday.

August 9, 1922.

PERSONAL.

Honorable Horace M. Towner,
Room 123, House Office Bldg.,
WASHINGTON, D. C.

My dear Judge:-

This will reach you just after the reconvening of Congress and I suppose it will meet you quite busy, but I'm keeping my word of writing you weekly about happenings in the little Island.

Our friend, the Governor, broke loose again. I know this will not surprise you and that you are expecting this kind of news by every mail.

Tuesday last week, which is the meeting day of the Public service commission, and while the same was in executive session, the Governor appeared before it and asked to be heard on a very important matter. Altho he was told that it was not a public meeting, he insisted and they had to hear him. He brought to the attention of the Commission, orally, charges against the SAN JUAN DOCK COMPANY and stated that the franchise granted to same was the biggest steal ever made in the Island and requested the Commission to open an investigation and if they found that he was right in his charges, ~~that~~ they proceed to cancel and repeal the said franchise.

This franchise was granted during the previous Administration to Miguel Guerra, for the construction of a Dock in the Harbor of San Juan together with a leasing from the People of Porto Rico for fifty years of certain lands belonging to the Island. Guerra was to pay the Island \$125 a year as rent and he immediately made a deal in which he sold the franchise and his holdings for \$2500 a year for fifty years. The SAN JUAN DOCK CO. is made up of Guerra and his brothers and it seems that the contention is that being a member of the Legislature, Chairman of the Ways and Means Committee, and a prominent member of the Unionist Party, he should not have obtained that concession in his own name.

Honorable Horace M. Towner,
Page (2).-

The Public Service Commission, after hearing Gov. Reilly, last week published advertisements in the papers calling for a public hearing yesterday on all persons for and against the said franchise and yesterday there was such a hearing at which time Mr. Guerra defended himself and the Governor appeared again in person and many other witnesses appeared and spoke against the franchise. Guerra's contention before the Commission was that, they had not proceeded in this matter in accordance with the Law and that these matters must be done in writing and complaints must be sworn to and direct notice given to the interested parties and that when he called on the Clerk of the Commission, he was told that there was nothing in writing, nothing on record, as not even the Governor's remarks were taken down stenographically. Guerra's contention was that his Company should have been advised so as to be able to know what they should defend and against whom they should go in case of the cancelation of the franchise.

Mr. Iglesias responded that he was willing to sign and swear the complaint so as to make a test case of the matter. Lawyers Brown and Martinez Nadal, appearing in the interests of land owners in the neighborhood of the dock appeared and spoke in the interests of their clients against the franchise.

The criticism in this matter is not in the attack made by the Governor against wrongly given franchise, but in the manner in which he has done it. It is claimed that he should not have appeared in person, as that is not what is expected from a Governor. But of course, he has kept us for one year guessing what will happen and he is only living up to his reputation.

As an aftermath of yesterday's meeting, there was a shooting affair and a man who defended the Governor's attitude was fatally shot as it is claimed that he would die.

I hope that you have had a good rest up in your old country and expecting to hear from you whenever you have a chance to write, believe me to remain

sincerely yours,

August 16th, 1922.

Honorable Horace M. Towner,
Chairman Committee on Insular Affairs,
Room 123, House Office Bldg.,
WASHINGTON, D. C.

My dear Judge:-

There is very little to report at this writing as things are quieting down lately.

The local Grand Jury was impanelled and convened last week, during which time it took up 39 criminal cases which were disposed of and Saturday night the Jury adjourned without taking up at all the matter against the Governor. The Jury was made up of 13 Unionists and 3 Republicans, and one of the Jurors was a brother-in-law of Mr. Giorgetti.

This action, or rather non-action, of the Grand Jury, together with the decision of the Supreme Court in both the Certiorari and the Injunction brought by the Attorney General, seems to have produced a good effect in the public, and it has been commented by the Unionist and Spanish Press that the Governor ~~obviously~~ is having a new and stronger lease of official life, as it is claimed that he is to-day stronger in the White House than he was before.

The Governor is happy with all this and also on account of two very strong letters from the President upholding him in his position. It is certainly wonderful to see what a strong endorsement Reilly has in the White House and it is a pity that the man does not have the real make-up of a Governor.

On the other hand, Senator Iglesias told me that on the last mail he received a letter from Gompers telling him that he knew that as soon as the President could get the strike off his hand, that he would decide definitively about the governorship and that he, Gompers, knew that Reilly would be withdrawn and Congressman Towner appointed in his place. Iglesias told me that this was a confidential letter. The first part of thi

Honorable Horace M. Towner.
Page (2).-

August 16th, 1922.

letter is in accordance with one which was written by Cordova Davila lately to a friend here, in which he stated that as soon as the strike situation was out of the way, the President would decide upon the Porto Rican situation.

There is nothing more that I can write you about to-day, and hoping that everything is well with you, I beg to remain

sincerely yours,

August 23d., 1922.

PERSONAL.

Honorable Horace M. Towner,
Chairman Committee on Insular Affairs,
Room 123, House Office Building,
WASHINGTON, D. C.

My dear Judge:-

Since my last letter, there has been a few occurrences which will be interesting to you to read.

The Governor has asked treasurer Benedicto for his resignation, taking as an excuse his lack of confidence in him. This was done on the 19th, thru Huyke and Benedicto said that he would take the matter under advisement. I have found out that Benedicto also told a friend that he would send in his resignation as soon as the Governor should ask him direct for it and I have been told to-day by Feliu, that the governor was writing Benedicto requesting said resignation.

The Governor confirmed all this in a conversation he had with me, but he did not tell me who would be Benedicto's successor and I'm glad he did not, because I would have had to tell him what I think of his candidate for the Treasury, R. Aboy Jr., This is a rich young man, the son of a very successful business man, but nothing more. He has no capacity or enterprise of any sort, and although he is in business, everyone knows that he depends on his partners for the real work of the firm. Of course, he is and so is his father and all his relatives, a member of the Unionist Party, but I'm sure that Mr. Barcelo and other leaders will never agree on this appointment. Although I don't believe that Mr. Benedicto was heavy-weight as a financier, compared with Aboy Jr., he can be classed as a Morgan.

The Governor told me that whoever succeeded Mr. Benedicto, would have to undertake a thorough cleaning of the Treasury Department, which is only, as he claims, a political Club under the influence of Barcelo.

Honorable Horacé M. Towner.
Page (2).-

August 23d, 1922.

Another resignation which the Governor has requested is that of Mr. Siaca Pacheco, his Executive Secretary, and he intends to appoint in his place a young man who is the Assistant to the Executive secretary.

Another resignation to be asked is that of the Secretary of the Public Service Commission, and another one is that of Consulting Engineer of the Public Service Commission, who happens to be a son-in-law of Mr. Barceló.

I don't know with whom the Governor consults all these things, and I want to say that ever since Senator Tous Sob and myself wrote him our letter of warning some time in April, he has discarded us from the list of his counsellors and altho I call on him whenever I have to on account of my duties to my Party, I know that I have lost in his estimation and not many days ago he told U. S. Attorney Wells that I was not a good friend of his. I don't want to take this subject with him, because I rather have him think that way than to be his counsellor, and allow him to do foolish things without protest.

I suppose that this letter of mine will not take you by surprise, as I'm sure that Barcelo must have cabled Cordova Davila about these resignations.

In connection with Barcelo's son-in-law, I'm told by Mr. Feliu, that the young man has just presented to the Commission a report on a local corporation called "The Porto Rico Railway Light & Power Company", in which he proves that the concern, which is a Canadian Corporation, has been deceiving the Public Service Commission in the matter of accounting. The Company runs a trolley line in San Juan and at the same time furnishes light to half of the Island and the investigation made by this Engineer is to the effect that the company charges most of the expenses to the transportation side, leaving the lighting part unhampered, so as to show that they get no profits from the trolley company.

Feliu claims that under the circumstances, he don't believe that this young man should be ousted by the Commission, precisely at a time when he has rendered such a good service as his report shows, and that he told the Governor so. On the other hand, the candidate presented by the Governor to Feliu is a brother of Coll Cuchi, a man of no known ability as an Engineer and of doubtful integrity, and he also told that to the Governor, going so far as to tell the Governor that if he should insist in this matter, he would have to

Honorable Horace M. Towner.
Page (2).-

August 23d., 1922.

decide whether or not he would present his resignation as a member of his Cabinet before acting as he wants him to act in this matter.

There is nothing more that I can add to-day, and hoping that you are enjoying good health, believe me to remain

Sincerely yours,

August 30, 1922.

Honorable Horace M. Towner,
Chairman Committee on Insular Affairs,
Room 123, House Office Building,
WASHINGTON, D. C.

My dear Judge:-

Without any of your favors, I beg to drop you these few lines, following my weekly custom, to state that the appointments which I wrote you about last week, have been carried into effect by the Governor, as you will see by the enclosed clippings from "THE TIMES". You will notice by the clipping dated yesterday, that the Governor and the new Treasurer have had to select a good Republican as Assistant Treasurer and this goes to show that it was the only way in which the new man could ~~get~~ to get successfully into office, namely by taking with him an experienced hand who had been in the Department before for a good number of years. Of course, this don't make the appointment of Mr. Aboya a good one, and I understand that the Governor complains that he has not received the compliments of any of his friends for the said appointment.

Another of the appointments made which is a bad one, is that of Mr. Edick, for Superintendent of Elections in place of Mr. Keith. The latter was a Lawyer, an old hand in election matters, who had been at the job for many years and a man in whom everybody had confidence and you know very well that in election matters, this is very important. Keith could not be swerved from the straight path when he had selected it and I know what I am writing about, because I am a member of the Election Board and have had dealings with Keith for a great number of years. It is true that he was a Democrat, but there is no Democratic Party in Porto Rico, and above everything, he was a good representative American. I want to say that I don't know Mr. Edick, but from the report given by those who are in contact with him, he has never held an office in which he has been a success and the circumstances surrounding his appointment, of which I wrote

Honorable Horace M. Tower.
Page (2).-

you some time ago, are against him. The unionist newspapers have commenced to publish insinuations that the Governor is trying to control the election machinery, so as to be prepared for the elections of 1924. Of course, this is all nonsense and I don't believe the Governor has anything of the sort in his mind.

Of course, I don't know what are the plans of the Administration regarding the Governor. You know that I had reasons to expect some action when I left Washington in June last, but from the letters which the Governor has been receiving from the White House, there is no indication that any change is contemplated for the present. If this is the case, then it will be necessary, absolutely necessary, to urge a change in the Office of Attorney General. The Governor cannot continue to work successfully without a responsible legal adviser to guide him in the many things that crop up constantly. The reasons for my suggesting this is, because I understand that a change in the office is contemplated by the President and that he was only letting things to drag a little until the charges against the Governor had been pursued. Now that a new Grand Jury was impanelled and dismissed without anything been done against the Governor and the District Court going into vacations on the 1st. of September, it seems that the said charges have been dropped and no one is thinking any longer in pressing same.

On the other hand, the Attorney General and the Governor are at odds, they don't speak to each other, the Governor don't consult Mestre and Mestre goes so far as to knock the Governor in the newspapers and all these just creates a bad impression in the general public and it would be wise if a change in the office is to be effected, that it be done at once so as to restore the confidence of the people in such an important office in the Insular Government.

As to a proper man for the place, I want to say that care should be taken to send a good Lawyer, one in whom, both the Administration in Washington and the Governor, could have confidence in, and such a man ought to be able to inspire confidence in the people, that was lost entirely in the present incumbent.

Of course, the position is not of sufficient importance to attract good lawyers in the States, but if I am permitted to make a suggestion of a name, I know a good Lawyer who is an

Honorable Horace M. Towner.
Page (3).--

intimate friend of Senator Wadsworth and who would be willing to accept the position as a stepping stone for the higher one as Governor, in case he should make good. The name of this Attorney is, H. P. COATS, of Saranac Lake, New York, who has a big practice in New York, was State Senator when Wadsworth was Speaker of the House of Representatives in Albany, and is an intimate friend of Congressman Snell and would receive the endorsement of the New York Organization as well as that of National Committeeman Hilles.

I want to say to you that in conversations of Attorney General Mestre with his friends, he expects to be relieved by the President at any time and if you should see fit to recommend that this be done, you would help in the solution of this trouble.

There is nothing more that I can write you to-day and with best personal regards, believe me to remain

Sincerely yours,