

**THE CASE OF
PUERTO
RICO, JUNE, 1899**

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The case of Puerto Rico, June, 1899 by J. J. Henna & M. Zeno Gandia

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J. J. HENNA & M. ZENO GANDIA

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RICO, JUNE, 1899**

8 WEST 40TH ST., NEW YORK

THE CASE
OF
PUERTO RICO

J. J. HENNA,
M. ZENO GANDIA,
Commissioners from Puerto Rico.

JUNE, 1899

WASHINGTON, D. C.
PRESS OF W. F. ROBERTS
1899

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INTRODUCTORY.

Puerto Rico finds itself at this moment in an extraordinary situation.

The island is *de facto* by virtue of actual occupation, and *de jure* by virtue of the Treaty of Peace between the United States and Spain concluded at Paris on December 10th, 1898, an integral part of the territory of the United States of America. And, nevertheless, neither its soil, nor its ports, its commerce, its inhabitants, are for any practical purpose considered American. The flag of the United States of America floats over the soil of Puerto Rico, but it does not make American even the children who are born under its shade. Ships coming from the ports of any continental portion of the United States of America and entering a port of Puerto Rico do not enter an American but a foreign port, and are subject to pay custom duties, tonnage dues, etc. The commerce of Puerto Rico with the rest of the United States of America instead of being free as the commerce between Massachusetts and Florida, or New York and Louisiana, is burdened by a Tariff, heavier and more obnoxious than that which was in force when Puerto Rico was Spanish, and its commerce was subject to the reciprocity arrangements, which, under the inspiration of Mr. Blaine, were concluded in 1890 between the United States and Spain. And although Puerto Rico is American, and its government is vested in American officials, and all there is American, from the governor-general to the health officer of the humblest port of the island, no protection is given to any Puerto Rican except upon condition that it be carefully expressed that he is protected as a native of Puerto Rico but not as an American.

Of liberty and self-government the Puerto Rican people have not had as yet any taste. They are subject in all things to the

supreme will of a military governor, subject to no one else, though in time of peace, than the Commander-in-chief of the Army of the United States, through exclusively the channels of the War Department.

Between General Macías and General Henry no difference has been shown so far, than that the latter speaks a language which the Puerto Ricans do not understand, and that the former never ordered any graves to be dug to be filled with Puerto Rican corpses, when trouble was anticipated.

If the war which the United States of America waged against Spain for purely humanitarian purposes, freed Puerto Rico, as it is said, the Puerto Rican people do not know as yet of what that freedom consists. They are treated as an inferior, dependent people, needing to be educated and christianized and civilized—and in the procession of the Peace Jubilee celebrated with great pomp at Washington, which the President reviewed surrounded by his Cabinet and the diplomatic body and the elite of the Washington society, no other symbol was made to appear to represent Puerto Rico and Puerto Rican civilization than a dilapidated little negro boy poorly riding on the back of a not less dilapidated little pony, with the announcement, which excited the joyous shouts of the multitude, of "Puerto Rican Express."

This is the recognition which Puerto Rico has secured for having opened its arms and offered no resistance to the American invaders!

If Puerto Rico is not now a jewel belonging to the Crown of Spain, as it was often said during four centuries, the satisfaction to be derived from this fact is nothing but theoretical.

Puerto Rico can now say with Tacitus that it is rather without a master than in the enjoyment of liberty—*magis sine domino quam in libertate*.

It may also repeat with the Prophet of the Lamentations: "Our inheritance is turned to aliens, our homes to strangers; we are become orphans without a father. * * * We have

given our hand to Egypt and to the Assyrians that we might be satisfied with bread!"

The spectacle of a purely military government under the flag of the United States of America does seem very strange. And nevertheless it has been given for about nine months, and no prospect of relief seems to be in sight.

History has repeated itself, and if it was always said with reason that the Spanish Viceroys and Captains-General in America were all-powerful for the evil and powerless for the good, the very same thing can be said of Puerto Rico under the military control of the freest country in the world.

This attitude of the American Government with regard to Puerto Rico and the Puerto Rican people, if compared with the one it has taken with regard to the Philippine Islands and their people, shows a lack of consideration and justice thoroughly unexpected and unpardonable. The Filipinos are in arms against the United States; they are ignoring the cession which Spain made of their country in favor of the United States; they are resisting, *unguibus et dentibus*, to the best of their power and ability, the authority of the United States; and nevertheless they are offered by the United States a civil government and many other things which when asked by the Puerto Ricans find no response, or are met with the frivolous, groundless, answer that the President has no power to grant them; and the spectacle is thus given that there are two standards of weight and measures, one to be used with the Filipinos and another with the Puerto Ricans.

If a civil governor general and an advisory council, and many other things can be given the Filipinos, rightfully, why is it that the same thing cannot be rightfully given the Puerto Ricans?

Since when has it been the rule in this country, the best Republic in the world, that in order to obtain justice violence and bloodshed are first to be resorted to?

The condition of things in Puerto Rico when the Govern-

ment of the United States of America decided to go to war with Spain, to enforce the mandate of Congress that Spain should relinquish at once her sovereignty over Cuba, was by far different from the condition of things which then prevailed in the latter island.

Puerto Rico had never been afflicted as Cuba by war or revolution. Mr. Cushing, United States minister at Madrid, could say with reason to Mr. Fish, Secretary of State, on March 1, 1876, "Puerto Rico is a contented possession of Spain, having received concessions withheld from Cuba, which had been the scene of war for seven years." (Ex. Doc., Senate No. 166, Fifty-fourth Congress, first session, attached to Senate Report No. 885, Fifty-fifth Congress, second session, page 105.) Subsequent to Mr. Cushing's statement Puerto Rico continued in peace and its wealth and prosperity, specially in the time in which the reciprocity arrangements initiated and carried on by Mr. Blaine were in force, became phenomenal.

Puerto Rico was not by any means a proper subject for American intervention. If war was carried to its territory by the United States, it was because Puerto Rico was Spanish territory, and because it was said that for military reasons hostilities were necessary both in the Greater and the Lesser Antilles. And if Puerto Rico was ceded by Spain to the United States, not entirely without protest by Spain, it was only because President McKinley "desirous of exhibiting signal generosity to Spain," relieved her from paying any war indemnity to the United States, but demanded in exchange the cession. (Mr. Day to Duke of Almodovar del Rio, July 30, 1898.)

Through that act of signal generosity of President McKinley, resembling that of Eneas when killing young Lausus, Puerto Rico became an American possession.

The voice of Puerto Rico was not heard. The idea that the Puerto Rican people might have something to say on the subject, or that a bargain of this kind, no matter how generous on the part of one belligerent, might need at least *pro*

forma the consent of the Puerto Rican people, was not even thought of.

The island and its people were conveyed from one sovereign to another as a farm and its cattle are conveyed from a master to another.

When France was forced to cede Alsace and Lorraine to Germany, without consulting their people, the potent voice of CHARLES SUMNER was heard in protest. He delivered in Boston his famous lecture, called by him "The Duel Between France and Germany." And then he said:

"France cannot sell or transfer them (Alsace and Lorraine) against their consent. Count the great masters and you will find their concurrent authority. Grotius, from whom on such a question there can be no appeal, adjudges: 'In the alienation of part of a sovereignty it is required that the part to be alienated consent to the act.' Of the same opinion is Puffendorff, declaring: * * * 'to make such a conveyance valid the consent of the people is required.' Vattel crowns this testimony when he adds that a province 'abandoned and dismembered is not obliged to receive the new master attempted to be given it. * * * Before such texts, stronger than a fortress, the soldiers of Germany must halt."

Take from there the words Alsace and Lorraine and Germany and replace them by Puerto Rico and the United States, and the case of Puerto Rico is made by perhaps the highest figure as a scholar, as a statesman, and as a patriot in the Republican party of the United States of America.

This pamphlet is intended not to make opposition to the Government, but to aid it in doing justice to Puerto Rico. It has for its object to formulate in a precise manner the aspirations of Puerto Rico. It has been prepared to show to the people of the United States of America and of the whole world that the Puerto Rican people do not submit in silence to be treated as slaves or as dependent beings little less than savages, needing protection from outside and entitled to nothing else than guardianship by the sword.