

to the indissoluble union of American States and the imperishable brotherhood of the American people.

Now, what answer has New England to this message? Will she permit the prejudice of war to remain in the hearts of the conquerors when it has died in the hearts of the conquered? Will she transmit this prejudice to the next generation, that in their hearts which never felt the generous ardor of conflict it may perpetuate itself? Will she withhold, save in strained courtesy, the hand which, straight from his soldier's heart, Grant offered to Lee at Appomattox? Will she make the vision of a restored and happy people, which gathered above the couch of your dying captain, filling his heart with grace; touching his lips with praise, and glorifying his path to the grave—will she make this vision on which the last sigh of his expiring soul breathed a benediction, a cheat and delusion? If she does, the South, never abject in asking for comradeship, must accept with dignity its refusal; but if she does not refuse to accept in frankness and sincerity this message of good will and friendship, then will the prophecy of Webster, delivered in this very Society forty years ago amid tremendous applause, become true, be verified in its fullest sense, when he said: "Standing hand to hand and clasping hands, we should remain united as we have been for sixty years, citizens of the same country, members of the same government, united, all united now and united forever." There have been difficulties, contentions, and controversies, but I tell you that in my judgment—

—“those opened eyes,
Which, like the meteors of a troubled heaven,
All of one nature, of one substance bred,
Did lately meet in th' intestine shock,
Shall now, in mutual well-beseeming ranks,
March all one way.”

CHARLES E. LITTLEFIELD



CHARLES E. LITTLEFIELD, an American congressman and lawyer, was born at Lebanon, York Co., Me., June 21, 1851. He was educated in the common schools, and, after pursuing the study of law, was admitted to the Bar in 1876. He entered the lower house of the Maine legislature in 1885, and was Speaker of the House in 1887, and from 1889 to 1893 filled the post of attorney-general of Maine. In 1899, he was elected to the fifty-sixth Congress to fill the vacancy in the House of Representatives caused by the death of Nelson Dingley, the Republican representative.

THE PEARL OF THE ANTILLES, THE EVER-FAITHFUL ISLE

SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES, FEB. 23, 1900

MR. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE,—I believe that the pending bill is un-Republican, un-American, unwarranted, unprecedented, and unconstitutional. Inasmuch as I am in the painful position of differing with a large majority of my political brethren, and as I believe this measure is one of vast importance, of far reaching consequence, involving results that perhaps none of us can now anticipate, I feel that I should, perhaps, render the reasons for my position.

I concede, and I gladly concede, the right of leadership to the distinguished men who, by their long experience and great abilities, have the responsibility and the honor of leading the Republicans in this House. The leaders of the Republican party will find me, upon all measures that involve Republican policy, following loyally in their footsteps. When an issue, however, arises that involves, in my judgment, grave questions of right and wrong, great questions of prin-

ciple, I feel, and I have no doubt they feel, that every individual member of the Republican party must be allowed to think, speak, and act for himself. . . .

The people of Porto Rico had the same pro rata representation in the Spanish Cortes as the citizens of the Empire, in Spain itself. They had sixteen members in the lower house, and four members in the upper house. Every citizen of Porto Rico had the same legal rights as a citizen of Spain. With reference to tariff conditions, for several years preceding the advent of Miles upon their soil, they had a ten per cent preferential tariff between themselves and Spain. By virtue of a budget which had been adopted and accepted, and by a statute which had been enacted by the Spanish Cortes, this tariff of ten per cent was to expire on the first of July, 1898, so that on, and after that date, there would have been perfect free trade between Porto Rico, and the parent State, Spain.

The suggestions which have been made by the gentleman who immediately preceded me—the gentleman from Connecticut—in relation to the revenues collected in Porto Rico are, I submit, somewhat misleading. I shall not undertake here, because I have not the time according to the plan which I have marked out for my address, to discuss such matters in detail. I only call attention to the operation of the tariff between Porto Rico and Spain. The license fees that were collected, the taxes that were collected upon incomes, the internal revenue taxes, should not properly be reckoned as any part of the taxation by way of a tariff imposed on products going from Porto Rico to Spain, or upon the products of Spain, going into Porto Rico.

Such a statement is an unfair presentation of the fiscal

condition of this island. The gentleman from Connecticut ingeniously, and confusingly combined them all in his description of fiscal conditions on the island, when nothing but the tariff has any proper place in the consideration of the pending measure. For years, has this island been populated by this white, Caucasian population. It never has had a dollar of public indebtedness. Time, and time again, the island from its own taxation has loaned to Spain money with which to carry on its various wars; and it has loaned to Santo Domingo and Cuba money for their public purposes. When the American flag was raised over this island, it had a surplus of \$1,500,000 in its treasury.

The people who inhabit this island are a self-respecting, valorous, and heroic people.

Four times, during the eighteenth century, unaided and alone, the citizens of Porto Rico repelled the attacks of the English navy, once under the command of Drake, and once under the command of Abercrombie, and preserved Porto Rican soil for Porto Rico, against the most powerful of foreign invaders, although it was then a dependency of Spain.

In 1873 there existed upon the island of Porto Rico 39,000 slaves. In 1860 there existed in the Republic 3,000,000 slaves. The Republic freed its slaves at a cost that staggers humanity. It did not free the slaves "until all the wealth piled by the bondsman's two hundred and fifty years of unrequited toil" had been sunk and "until every drop of blood drawn by the lash had been paid by another drawn with the sword."

Porto Rico, in 1873, manumitted its slaves without tumult, without disturbance, without convulsion, without bloodshed, without murder, without outrage, and without revolution. With the consent of the Spanish Cortes, upon motion of a

representative of Porto Rico, in one moment 39,000 persons who before that time had been held in human bondage, became freemen.

One day found them slaves; the next day they continued in their employment for the same masters, but working for hire—their own masters. On one day they bent down, bondmen. The next day they stood erect, freemen. This great change was wrought as quietly, and silently, as the dawn precedes the rising of the sun. The little island of Porto Rico paid for those slaves, by its own revenue, from its own prosperity, \$7,800,000 in 1873, with a loan that required only fourteen years to pay, and, adding the interest and principal, aggregating the magnificent sum of \$12,000,000—paid by whom?

By the people that live to-day in Porto Rico.

For what?

To emancipate 39,000 human bondmen. This nation of "illiterates," this people to whom we now propose to act the part of a "good Samaritan!" That was a deed worthy of the highest triumph of Christian civilization anywhere. The mechanics of Porto Rico, consisting of masons, blacksmiths, leather-workers, and silversmiths, are superior in their various branches to similar mechanics in nearly every part of the civilized world. The carpenters and cabinetmakers do not rank so high.

This is the condition of the island; this is the character of the people for whom the American Congress is about to legislate. They are an intelligent people, not barbarians, not slaves, but a free people, and I submit, as I shall submit later to the Republican party—for I do not stand here to address gentlemen upon the other side of this House—I submit, as I shall submit later to the Republican party, that they are

a people who, by their history, by their character, by their intelligence, their endeavor, and inheritance, are entitled to fair treatment at the hands of the Republic, and to the maintenance of its plighted faith.

Thus stood the Pearl of the Antilles, "The Ever Faithful Isle," when, a rich and willing prize, it fell into our hands. I devote a moment to the question of raising revenue in Porto Rico for their own purposes, and then I pass from this branch of the question, to a discussion of the provisions of this bill.

It is estimated that \$3,000,000 annually is necessary for the wants of this island, \$1,000,000 to be devoted to public administration, \$1,000,000 to be devoted to schools, and \$1,000,000 to be devoted to public works. This is a large estimate, a liberal and a generous estimate. The amount that was used for schools in Porto Rico last year, and the preceding years, was only \$345,000; and no wise and economical administration can properly expend in Porto Rico in the next two or three years three times the sum that is now being used, because it is a practical impossibility, under what they have there as a common-school system, to make such an expenditure economically.

It was conceded by the gentleman from Ohio [Mr. Grosvenor] in his speech yesterday, that \$1,500,000 will be raised from the internal revenue tax upon rum. It is also conceded that under ordinary methods of local taxation they will raise about \$500,000 besides, taking the island in its present prostrated condition, in all \$2,000,000 of the \$3,000,000 necessary to be raised.

Just a word as to their condition and situation. This estimate which I have given you of \$500,000 is based upon the present condition of Porto Rico. And what is that? As was very handsomely and accurately described by the able chair-

man of the Ways and Means Committee, it is one of utter and awful devastation and ruin, with the absolute prostration of every industry in the island of Porto Rico. . . .

The estimate is, that even in that condition, with agriculture paralyzed, the amount which I have stated can be raised. And I should say here, perhaps, for the information of gentlemen that while this island is fertile, and its soil only needs to be tickled with a hoe to laugh with a harvest, that its fields when once allowed to pass out from under cultivation, go back in less than a year's time into a state of natural wildness, so that they have to be reclaimed again, before any profit can be made from them in agriculture. A large portion of the island is in that condition to-day. Yet, in that condition, it is conceded that by the ordinary methods of taxation this amount can be raised. The ordinary method of taxation there is simply this: It is in the nature of an income tax—a percentage on the income of the planter of sugar, tobacco, or coffee, or the man who is engaged in business, professional or otherwise—a reasonably fair method of taxation.

It is estimated by men capable of judging upon this question that when this island once gets back to its pristine condition (which will, perhaps, require two years' time), with the improved conditions of agriculture and methods of manufacture, that it is expected will be carried into this island by American industry, energy, enterprise, and intelligence, that the tax, upon the same basis, would aggregate from \$5,000,000 to \$10,000,000. This island, this Pearl of the Antilles, is no pauper or mendicant, standing begging at the doors of the American Congress for alms, or for the work of a "good Samaritan." All that the island of Porto Rico asks is to have the American Congress give it a stable government, an opportunity to take care of itself, and then take off its

hands and let it take care of itself, a thing that it can well do. . . .

We had better listen, and think now, than to listen later. A word here as to the assertion of the President of the United States as to "the plain duty" of the Republican party and of the American Congress. It is as much the duty of the Democrats as the Republicans, because later, when I reach that stage in this discussion, I shall base it upon the broad proposition that, to my mind, appeals to every patriot, and every man who believes in the good faith of the Republic, its honor, and its integrity. Every Democrat who sits on this floor is interested in that proposition as well as my Republican friends, with whom I just now can not act upon this bill.

As to the suggestion of the gentleman from Ohio that there had been a change in conditions I would like any gentlemen here to suggest what change there has been. He suggested—and I want to call your attention to this particularly—he suggested that there had been a change in conditions. The report of General Davis was made September 5, 1899. In the middle of the preceding August that awful tornado, that terrific cyclone, swept over this fateful island and carried these coffee plantations from the mountain sides, an indistinguishable mass of ruin, into the valleys below. That awful ruin had visited the Pearl of the Antilles, before this report was made by General Davis to the President of the United States. No calamity has visited the island since. No calamity is now impending over it, except what may be involved in this measure now pending.

There has been no change in conditions, there has been nothing that can be suggested. When William McKinley—and, by the way, I shall spend no time in this discussion in

referring to Andrew Jackson, or Thomas Jefferson, or Tom Benton, or any of that great galaxy of men—for me it is sufficient if William McKinley, the honored President of this Republic, the distinguished representative of the Republican party, who is enthroned in the hearts and affections of all our people, will follow in the footsteps of Washington and Lincoln. A great many things have been done by the other distinguished gentlemen that I would not like to have any Republican President undertake to do, or even think of.

What does President McKinley say? He said when he sent his message to the House—and I have received no communication from the President of the United States since—mark that—he communicated to me through the constitutional channel; I say since then, neither directly nor indirectly, have I received any communication from the President of the United States that would tend to indicate that when he said—not that it was his opinion, not that he thought, nor that he would advise or suggest, but that it was “the plain duty”—stop and listen to that a minute—“the plain duty” of the Republican Congress to give free trade between Porto Rico and the United States, he did not mean it. That is an assertion of fact. It was either true or false.

If conditions have changed, let some gentleman suggest it while I am speaking. If there has been any change of conditions that could be mentioned by any gentleman since the President of the United States said it was our “plain duty,” let him assert it now. That statement was either true or false when he made it, and if it was true or false when he made it, it is true or false now. I believe it was absolutely true.

I say to my friends that I am not ready, upon the question of policy even, to cast a vote in this House against what the

President of the United States has truthfully said was my “plain duty.” I stand upon that proposition. I stand by the President of the United States, and a little later I will call your attention to some significant reasons why.

What is this bill? I take it in detail. The second provision in it imposes what they call an import duty on the manufactures and products of the United States “coming into Porto Rico.” The bill imposes a duty on all goods “coming from Porto Rico” into the United States and on goods “coming into Porto Rico” from the United States. “Coming” both ways. I suppose the language of the bill is so couched, in the futile effort to get rid of a provision of the constitution which provides that “no tax or duty shall be laid on articles exported from any State.” (Constitution, Article I, section 9, paragraph 5.) I submitted to two members of the Ways and Means Committee the question, as to whether they could give me any legal distinction between these propositions: First, a vessel is loaded with lumber, say in Portland, and starts for Porto Rico. Under this bill we will assume the tariff to be one thousand dollars.

Under this bill they collect the duty when she arrives, and who collects it? The United States government. Into whose pocket does it go? Into the United States government's. Second, what legal distinction is there between collecting the duty when she clears from Portland for Porto Rico, before she leaves the State, or collecting it afterwards in Porto Rico? The same hand collects it either in Portland, or in San Juan. It goes into the same pocket in either case, into the same Treasury, and is to be disbursed, under the provisions of this bill, without any appropriation from the public Treasury, which the constitution provides. But I do not suppose the constitution is anything between friends

I suggested that question to the chairman of the Ways and Means Committee, and asked him if the tax was collected in the city of Portland on the products of the United States going into Porto Rico, whether it would not be a tax on "articles exported from any State," and he could not tell me. I asked him what the legal distinction was, when the same duty, on the same cargo, was collected by the same hand, for the same Treasury, in Porto Rico. He could not tell me what the distinction was, or whether there was any. I heard his speech after I had put the question to him; he occupied an hour and a half about other things, and he did not tell me then. I put the same question to another member of the Ways and Means Committee, who gave me no answer. He has not yet made a speech. I suppose when he gets round to it he may answer it. But I have not had the pleasure of hearing that question answered, much as I have desired to have it answered in order to bring me to the support of this branch of the measure, by reason of its harmony with the constitution. I sought from two members of the Ways and Means Committee an answer to this question more than four days ago—yes, last week. It is not answered yet.

What did they do? I imagine they suggested the question to the distinguished gentleman from New York [Mr. Ray], the chairman of the Judiciary Committee—a man of eminence, ability, and character, a man whose suggestion ought to have weight with this House, and does. How did he answer it? I did not hear his speech, but I have read a part of it in the "Record." He states that he spent a whole day looking up the lexicographers and dictionaries, for the purpose of finding a definition of "export." I have an idea that the gentleman rather looked for a definition that would

help his case; because, being on that committee, I know that if he had whirled round in his revolving chair in that committee room, and reached his hand out to the revolving bookcase, he could have put it upon Bouvier's "Law Dictionary," where he would have found in one minute's time a very good definition. After his exhaustive research he discovered that "export" meant the exporting of goods "to a foreign country;" but Bouvier would have shown him this:

"Export: The act of sending goods and merchandise from one country to another."

Now, in the name of all the gods at once, is it possible that by virtue of a treaty, or by virtue of conquest, we have eliminated Porto Rico from the map of the earth and it is no longer even a "country?"

Let me read another definition. I think the gentleman ought not to have spent so much time on this question. "Much study is a weariness of the flesh." The gentleman referred to the "Standard Dictionary," which is not yet old enough in its present form to have been cited by the courts as an authority.

I understand the gentleman from New York to admit that if "export" as used in the constitution does not mean going into a "foreign country," then the act is unconstitutional as providing for an export duty. I am not going to weary myself very much on this point as it is not the important feature. I am simply suggesting this as one of the inconsistencies of the bill.

I read the definition as given in the "American and English Encyclopedia of Law:"

"To export an article of commerce is to carry such article out of a country or place."

When an article passes from the United States to Porto

Rico does it, or does it not, go out of "a country or place?" It seems to me it does; and it seems to me that when it goes out of the country, then, according to this legal authority—I do not refer to the literary authority quoted by the gentleman, but according to this legal authority—it becomes an export, and does not necessarily involve the idea of going to a "foreign country."

Let us turn to the "Century Dictionary," which has been quoted quite frequently by the courts. Its definition is:

"Export: That which is exported; a commodity carried from one place or country to another, for sale; generally in the plural."

That unfortunate island is, it seems, for some purposes foreign, and for other purposes domestic, corresponding with the condition of certain gentlemen in this House some years ago who undertook to be present and absent at one and the same time, according as one or another purpose was to be accomplished. In order to sustain the validity of the tariff upon goods coming into the United States from Porto Rico, Porto Rico is held to be a foreign country. In order to sustain the validity of the tariff upon goods exported from the United States to Porto Rico, under this discovery of the chairman of the Judiciary Committee, Porto Rico is a domestic country. I think I understand the argument, but I do not feel impressed or oppressed with its weight.

The gentleman from New York, who made his speech under some degree of excitement, said that he would like to look in the face of any lawyer who would undertake to dissent from some of the propositions which he laid down. I do not see the gentleman in his seat, but if he wants to see me he can look into my face, for I have never turned my back on any man. That is one of the things I do not do.

One of his propositions, as I understand, is that because the constitution says that under some circumstances a State can lay an export duty, with the consent of Congress, and because Congress has the powers of the general government and the States (which they have discovered in connection with some of these cases which they undertake to discuss), therefore—what?

Under the constitution, Congress can suspend the operation of that clause of the constitution which provides that no export duty shall be imposed on articles sent out of a State; that is, the State could act with the consent of the Congress; but as it has been held in general terms, in discussing a clause of the constitution that has no connection whatever with this, that Congress has the powers of the State as to a possession, it can give its consent, and then act for the State, and when it acts for the State it is supposed to give its own consent, and hence you have the absolute repeal, by the mere operation of logic, of an express prohibition of the constitution. I think this proposition may be fairly designated as metaphysical, and while it is as well founded undoubtedly as many of the propositions upon which the Committee rely, little is hazarded when it is asserted that if the court ever sustain this clause of the bill it will not be upon this attenuated ground.

I have another objection to this branch of the bill. I submit that it is un-Republican. When—and I asked this question of the chairman of the Committee on Ways and Means, and if I misrepresent or misquote him I will thank him to correct me at once—I asked the chairman of the Committee on Ways and Means when in the history of the Republican party, that party ever voted to impose a tariff upon American capital and American labor? Ever before? He did not