

[Calendar No., 522.]

56TH CONGRESS,  
1ST SESSION.

# H. R. 8245.

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IN THE SENATE OF THE UNITED STATES.

MARCH 1, 1900.

Read twice and referred to the Committee on Pacific Islands and Porto Rico.

MARCH 1, 1900.

Reported by Mr. FORAKER, with amendments.

[Strike out the preamble and all after the enacting clause and insert the part printed in italics.]

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## AN ACT

Temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes.

~~Whereas the people of Puerto Rico have been deprived of markets for a large portion of their products, and have lost property and crops by severe and unusual storms, whereby they are impoverished and are unable to pay internal revenue and direct taxes; and~~

~~Whereas temporary revenue is necessary for their schools, their roads, and their internal improvements, and the administration of their government: Now, therefore,~~

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 ~~That the provisions of this Act shall apply to the island of~~  
4 ~~Puerto Rico and to the adjacent islands and waters of the~~  
5 ~~islands lying east of the seventy-fourth meridian of longitude~~

1 ~~west of Greenwich, which was ceded to the United States by~~  
2 ~~the Government of Spain by treaty concluded April eleventh,~~  
3 ~~eighteen hundred and ninety nine; and the name Puerto Rico,~~  
4 ~~as used in this Act, shall be held to include not only the~~  
5 ~~island of that name, but all the adjacent islands as aforesaid.~~

6       ~~SEC. 2. That on and after the passage of this Act the~~  
7 ~~same tariffs, customs, and duties shall be levied, collected, and~~  
8 ~~paid upon all articles imported into Puerto Rico from ports~~  
9 ~~other than those of the United States which are required by~~  
10 ~~law to be collected upon articles imported into the United~~  
11 ~~States from foreign countries.~~

12       ~~SEC. 3. That on and after the passage of this Act all~~  
13 ~~merchandise coming into the United States from Puerto Rico~~  
14 ~~and coming into Puerto Rico from the United States shall be~~  
15 ~~entered at the several ports of entry upon payment of fifteen~~  
16 ~~per centum of the duties which are required to be levied, col-~~  
17 ~~lected, and paid upon like articles of merchandise imported~~  
18 ~~from foreign countries; and in addition thereto upon articles~~  
19 ~~of merchandise of Puerto Rican manufacture coming into~~  
20 ~~the United States and withdrawn for consumption or~~  
21 ~~sale upon payment of a tax equal to the internal revenue~~  
22 ~~tax imposed in the United States upon the like articles~~  
23 ~~of merchandise of domestic manufacture; such tax to be~~  
24 ~~paid by internal revenue stamp or stamps to be purchased~~  
25 ~~and provided by the Commissioner of Internal Revenue~~

1 ~~and to be procured from the collector of internal reve-~~  
2 ~~nue at or most convenient to the port of entry of~~  
3 ~~said merchandise in the United States, and to be affixed~~  
4 ~~under such regulations as the Commissioner of Internal Rev-~~  
5 ~~enue, with the approval of the Secretary of the Treasury~~  
6 ~~shall prescribe; and on all articles of merchandise of United~~  
7 ~~States manufacture coming into Puerto Rico in addition to~~  
8 ~~the duty above provided upon payment of a tax equal in rate~~  
9 ~~and amount to the internal revenue tax imposed in Puerto~~  
10 ~~Rico upon the like articles of Puerto Rican manufacture.~~

11       ~~SEC. 4. That the duties and taxes collected in Puerto Rico~~  
12 ~~in pursuance of this Act, less the cost of collecting the same,~~  
13 ~~and the gross amount of all collections of duties and taxes in~~  
14 ~~the United States upon articles of merchandise coming from~~  
15 ~~Puerto Rico, shall not be covered into the general fund of the~~  
16 ~~Treasury, but shall be held as a separate fund, and shall be~~  
17 ~~placed at the disposal of the President to be used for the~~  
18 ~~government and benefit of Puerto Rico until otherwise pro-~~  
19 ~~vided by law.~~

20       ~~SEC. 5. This Act shall be taken and held to be provi-~~  
21 ~~sional in its purposes and intended to meet a pressing present~~  
22 ~~need for revenue for the island of Puerto Rico, and shall not~~  
23 ~~continue in force after the first day of March, nineteen hun-~~  
24 ~~dred and two.~~



*the courts of the United States in all cases in which such  
2 courts have jurisdiction where one of the parties is a State  
3 or Territory of the United States.*

*4 SEC. 4. That the laws and ordinances now in force in  
5 Porto Rico shall continue in full force and effect, except as  
6 altered, amended, or modified hereinafter, or as altered or  
7 modified by military orders and decrees in force when this  
8 Act shall take effect, and so far as the same are not inconsis-  
9 ent or in conflict with the laws of the United States not locally  
10 inapplicable, or the provisions hereof, until altered, amended,  
11 or repealed by the legislative authority hereinafter provided  
12 for Porto Rico or by Act of Congress of the United States:  
13 Provided, That so much of the law which was in force at the  
14 time of cession, April eleventh, eighteen hundred and ninety-  
15 nine, forbidding the marriage of priests, ministers, or fol-  
16 lowers of any faith because of vows they may have taken, be-  
17 ing paragraph four, article eighty-three, chapter three, civil  
18 code, and which was continued by the order of the secretary  
19 of justice of Porto Rico, dated March seventeenth, eighteen  
20 hundred and ninety-nine, and promulgated by Major-General  
21 Guy V. Henry, United States Volunteers, is hereby repealed  
22 and annulled, and all persons lawfully married in Porto Rico  
23 shall have all the rights and remedies conferred by law upon  
24 parties to either civil or religious marriages: And provided  
25 further, That paragraph one, article one hundred and five,*

1 section four, divorce, civil code, and paragraph two, section  
2 nineteen, of the order of the minister of justice of Porto Rico,  
3 dated March seventeenth, eighteen hundred and ninety-  
4 nine, and promulgated by Major-General Guy V. Henry,  
5 United States Volunteers, be, and the same hereby are, so  
6 amended as to read: "Adultery on the part of either the hus-  
7 band or the wife."

8       *SEC. 5. That the laws of the United States relating to*  
9 *commerce, navigation, and merchant seamen are hereby ex-*  
10 *tended to and over Porto Rico, and the Commissioner of Nav-*  
11 *igation may make such regulations as he may deem expedient*  
12 *for the nationalization of all vessels owned by the inhabitants*  
13 *of Porto Rico on the eleventh day of April, eighteen hun-*  
14 *dred and ninety-nine, and which continued to be so owned*  
15 *up to the date of such nationalization, and the coasting trade*  
16 *between Porto Rico and any other portion of the United*  
17 *States shall be regulated in accordance with the provisions*  
18 *of law applicable to such trade between any two great coast-*  
19 *ing districts.*

20       *SEC. 6. That quarantine stations shall be established at*  
21 *such places in Porto Rico as the Supervising Surgeon-Gen-*  
22 *eral of the Marine-Hospital Service of the United States shall*  
23 *direct, and the quarantine regulations relating to the importa-*  
24 *tion of diseases from other countries shall be under the con-*  
25 *trol of the Government of the United States.*

1       *SEC. 7. That for the purpose of retiring the Porto*  
2 *Rican coins now in circulation in Porto Rico and substi-*  
3 *tuting therefor the coins of the United States, the Secretary*  
4 *of the Treasury is hereby authorized to redeem, on*  
5 *presentation in Porto Rico, all the silver coins of Porto*  
6 *Rico known as the peso and all other silver and copper*  
7 *Porto Rican coins now in circulation in Porto Rico, not*  
8 *including any such coins that may be imported into Porto*  
9 *Rico after the first day of February, nineteen hundred, at the*  
10 *present established rate of sixty cents in the coins of the United*  
11 *States for one peso of Porto Rican coin, and for all minor or*  
12 *subsidiary coins the same rate of exchange shall be applied.*  
13 *The Porto Rican coins so purchased or redeemed shall be*  
14 *recoined at the expense of the United States, under the direc-*  
15 *tion of the Secretary of the Treasury, into such coins of the*  
16 *United States now authorized by law as he may direct, and*  
17 *from and after three months after the date when this Act*  
18 *shall take effect no coins shall be a legal tender, in payment*  
19 *of debts thereafter contracted, for any amount in Porto*  
20 *Rico, except those of the United States; and whatever*  
21 *sum may be required to carry out the provisions hereof, and*  
22 *to pay all expenses that may be incurred in connection there-*  
23 *with, is hereby appropriated, and the Secretary of the Treas-*  
24 *ury is hereby authorized to establish such regulations and*  
25 *employ such agencies as may be necessary to accomplish the*

1 *purposes hereof: Provided, however, That all debts owing on*  
2 *the date when this Act shall take effect shall be payable in the*  
3 *coins of Porto Rico now in circulation, or in the coins of*  
4 *the United States at the rate of exchange above named.*

5       *SEC. 8. That on and after the date when this Act shall*  
6 *take effect there shall be levied, collected, and paid upon all*  
7 *articles imported, except from the United States into*  
8 *Porto Rico, which is hereby constituted a customs*  
9 *collection district, the rates of duty mentioned and*  
10 *prescribed in the schedules and paragraphs of an*  
11 *Act entitled "An Act to provide revenue for the Govern-*  
12 *ment, and to encourage the industries of the United States,"*  
13 *approved July twenty-fourth, eighteen hundred and ninety-*  
14 *seven, and until March first, nineteen hundred and two, but not*  
15 *thereafter, there shall be collected upon all articles imported*  
16 *into Porto Rico from the United States fifteen per centum*  
17 *of said rates, in the same manner and to the same extent as*  
18 *if said schedules and paragraphs were expressly incorporated*  
19 *in this Act, and all the other provisions and paragraphs of*  
20 *such Act comprised in the sections thereof from two to*  
21 *thirty-four, inclusive, not locally inapplicable, shall be*  
22 *and remain in force in said island of Porto Rico until other-*  
23 *wise provided by Congress; and the President, by and with*  
24 *the advice and consent of the Senate, shall appoint a collector*  
25 *of customs for said district, who shall maintain his office at*



1 *San Juan, which is hereby made a port of entry, and be*  
2 *paid an annual salary of four thousand dollars. There*  
3 *shall be such subports of entry as the Secretary of the Treas-*  
4 *ury may designate, and such customs officials shall be pro-*  
5 *vided therefor as may be necessary to perform such duties as*  
6 *may be provided by law, and they shall be paid such com-*  
7 *pen-sation as the Secretary of the Treasury may prescribe.*

8       *SEC. 9. That on and after the passage of this Act there*  
9 *shall be collected within Porto Rico, which is hereby made*  
10 *an internal-revenue collection district, all the internal-revenue*  
11 *taxes imposed under the provisions of the laws of the United*  
12 *States in so far as the same are not locally inapplicable, and*  
13 *all the provisions of the laws of the United States providing*  
14 *for internal-revenue taxation and the collection thereof not*  
15 *locally inapplicable shall be and remain in force within*  
16 *Porto Rico until otherwise provided by Congress. The*  
17 *President, by and with the advice and consent of the*  
18 *Senate, shall appoint an internal-revenue collector for*  
19 *said district, who shall maintain his office at San*  
20 *Juan, and who shall be paid an annual salary of four thou-*  
21 *sand dollars, and the Secretary of the Treasury is hereby*  
22 *authorized to adopt all needful regulations and prescribe com-*  
23 *pen-sation for all necessary officers and agents to carry out*  
24 *the provisions hereof: Provided, however, That all collec-*

1 *tions made under sections eight and nine hereof shall be paid*  
2 *into the treasury of Porto Rico, to be expended as required*  
3 *by law for the government and benefit thereof, instead of*  
4 *being paid into the Treasury of the United States.*

5 *SEC. 10. That on and after the passage of this Act,*  
6 *until March first, nineteen hundred and two, all articles com-*  
7 *ing to the United States from Porto Rico shall be admitted*  
8 *into the ports of the United States on payment of fifteen per*  
9 *centum of the rates of duty mentioned and prescribed in the*  
10 *schedules and paragraphs of said Act of July twenty-fourth,*  
11 *eighteen hundred and ninety-seven, all laws and parts of laws*  
12 *to the contrary notwithstanding, but after March first, nine-*  
13 *teen hundred and two, all such articles shall be admitted into*  
14 *the ports of the United States free of duty: Provided, That*  
15 *all duties collected on such articles shipped from*  
16 *Porto Rico into the United States under the provisions of*  
17 *this section shall be held in the Treasury of the United*  
18 *States as a separate fund, to be used under the direction of*  
19 *the President of the United States for the government and*  
20 *benefit of Porto Rico.*

21 *SEC. 11. That all expenses that may be incurred on ac-*  
22 *count of the government of Porto Rico for salaries of offi-*  
23 *cial and the conduct of their offices and departments, and*  
24 *all expenses and obligations contracted for the internal im-*  
25 *provement or development of the island, not, however, includ-*

1 *ing defenses, barracks, harbors, light-houses, buoys, and other*  
2 *works undertaken by the United States, shall be paid by the*  
3 *treasurer of Porto Rico out of the revenues in his custody.*

4 *SEC. 12. That the statutory laws of the United States*  
5 *not locally inapplicable, except as hereinbefore or hereinafter*  
6 *otherwise provided, shall have the same force and effect in*  
7 *Porto Rico as in the United States.*

8 *SEC. 13. That the legislative authority hereinafter pro-*  
9 *vided shall have power by due enactment to amend, alter,*  
10 *modify, or repeal any law or ordinance, civil or criminal,*  
11 *continued in force by this Act, as it may from time to time*  
12 *see fit.*

13 *SEC. 14. That all judicial process shall run in the name*  
14 *of "United States of America, ss: the President of the United*  
15 *States," and all criminal or penal prosecutions in the local*  
16 *courts shall be conducted in the name and by the authority*  
17 *of "The people of Porto Rico;" and all officials authorized by*  
18 *this Act shall before entering upon the duties of their respective*  
19 *offices take an oath to support the Constitution of the United*  
20 *States and the laws of Porto Rico.*

21 *THE GOVERNOR.*

22 *SEC. 15. That the official title of the chief executive*  
23 *officer shall be "The Governor of Porto Rico." He shall be*  
24 *appointed by the President, by and with the advice and con-*  
25 *sent of the Senate; he shall hold his office for a term of four*

1 years and until his successor is chosen and qualified unless  
2 sooner removed by the President; he shall reside in Porto  
3 Rico during his official incumbency, and shall maintain his  
4 office at the seat of government; he may grant pardons and  
5 reprieves, and remit fines and forfeitures for offenses against  
6 the laws of Porto Rico, and respites for offenses against  
7 the laws of the United States, until the decision of the Presi-  
8 dent can be ascertained; he shall commission all officers that  
9 he may be authorized to appoint, and shall participate in and  
10 may veto any legislation enacted, as hereinafter provided; he  
11 shall be the commander in chief of the militia, and shall at  
12 all times faithfully execute the laws, and he shall in that be-  
13 half have all the powers of governors of the Territories of  
14 the United States that are not locally inapplicable; and he  
15 shall annually, and at such other times as he may be required,  
16 make official report of the transactions of the government in  
17 Porto Rico, through the Secretary of State, to the President  
18 of the United States: Provided, That the President may, in  
19 his discretion, delegate and assign to him such executive duties  
20 and functions as may in pursuance with law be so delegated  
21 and assigned.

22 *THE EXECUTIVE COUNCIL.*

23 *SEC. 16.* That there shall be appointed by the Presi-  
24 dent, by and with the advice and consent of the Senate, for  
25 the period of four years, unless sooner removed by the Presi-

1 *dent, a secretary, an attorney-general, a treasurer, an auditor,*  
2 *a commissioner of the interior, and a commissioner of educa-*  
3 *tion, each of whom shall reside in Porto Rico during his offi-*  
4 *cial incumbency and have the powers and duties hereinafter*  
5 *provided for them, respectively, and who, together with the*  
6 *governor and five other persons of good repute, to be also*  
7 *appointed by the President, by and with the advice and con-*  
8 *sent of the Senate, shall constitute an executive council, at*  
9 *least five of whom shall be native inhabitants of Porto Rico,*  
10 *and, in addition to the legislative duties hereinafter imposed*  
11 *upon them as a body, shall exercise such powers and perform*  
12 *such duties as are hereinafter provided for them, respectively,*  
13 *and who shall have power to employ all necessary deputies*  
14 *and assistants for the proper discharge of their duties as such*  
15 *officials and as such executive council.*

16       *SEC. 17. That the secretary shall record and preserve*  
17 *minutes of the proceedings of the executive council and the*  
18 *laws enacted by the legislative assembly and all acts and pro-*  
19 *ceedings of the governor, and shall promulgate all procla-*  
20 *mations and orders of the governor and all laws enacted by the*  
21 *legislative assembly. He shall, within sixty days after the*  
22 *end of each session of the legislative assembly, transmit to the*  
23 *President, the President of the Senate, the Speaker of the*  
24 *House of Representatives, and the Secretary of State of*

1 *the United States one copy each of the laws and journals of*  
2 *such session.*

3       *SEC. 18. That in case of the death, removal, resigna-*  
4 *tion, or disability of the governor; or his temporary absence*  
5 *from Porto Rico, the secretary shall exercise all the powers*  
6 *and perform all the duties of the governor during such va-*  
7 *cancy, disability, or absence.*

8       *SEC. 19. That the attorney-general shall have all the*  
9 *powers and discharge all the duties provided by law for*  
10 *an attorney-general of a Territory of the United States in so*  
11 *far as the same are not locally inapplicable, and he shall per-*  
12 *form such other duties as may be prescribed by law, and*  
13 *make such reports, through the governor, to the Attorney-*  
14 *General of the United States as he may require.*

15       *SEC. 20. That the treasurer shall give bond, approved*  
16 *as to form by the attorney-general of Porto Rico, in such*  
17 *sum as the executive council may require, not less, however,*  
18 *than the sum of one hundred thousand dollars, with surety*  
19 *approved by the governor, and he shall collect and be the*  
20 *custodian of the public funds, and shall disburse the same as*  
21 *required by law, on warrants signed by the auditor and*  
22 *countersigned by the governor, and shall perform such other*  
-23 *duties as may be prescribed by law, and make, through the*  
24 *governor, such reports to the Secretary of the Treasury of*  
25 *the United States as he may require.*

1       *SEC. 21. That the auditor shall keep full and accurate*  
2 *accounts, showing all receipts and disbursements, and perform*  
3 *such other duties as may be prescribed by law, and make,*  
4 *through the governor, such reports to the Secretary of the*  
5 *Treasury of the United States as he may require.*

6       *SEC. 22. That the commissioner of the interior shall*  
7 *superintend all works of a public nature, and shall have*  
8 *charge of all public buildings, grounds, and lands, except*  
9 *those belonging to the United States, and shall execute such*  
10 *requirements as may be imposed by law with respect thereto,*  
11 *and shall perform such other duties as may be prescribed by*  
12 *law, and make such reports through the governor to the*  
13 *Secretary of the Interior of the United States as he may*  
14 *require.*

15       *SEC. 23. That the commissioner of education shall*  
16 *superintend public instruction throughout Porto Rico, and*  
17 *all disbursements on account thereof must be approved by*  
18 *him; and he shall perform such other duties as may be pre-*  
19 *scribed by law, and make such reports through the governor*  
20 *as may be required by the Commissioner of Education of*  
21 *the United States.*

22       *SEC. 24. That the other five members of the executive*  
23 *council, to be appointed as hereinbefore provided, shall at-*  
24 *tend all meetings of the executive council and participate in*  
25 *all business of every character that may be transacted by it;*

1 and they shall receive as compensation for their services such  
2 annual salaries as may be provided by the legislative assembly.

3 HOUSE OF DELEGATES.

4 SEC. 25. That all local legislative powers hereby  
5 granted shall be vested in a legislative assembly which shall  
6 consist of two houses; one the executive council, as herein-  
7 before constituted, and the other a house of delegates, to con-  
8 sist of thirty-five members elected biennially by the qualified  
9 voters as hereinafter provided; and the two houses thus con-  
10 stituted shall be designated "The legislative assembly of  
11 Porto Rico."

12 SEC. 26. That for the purposes of such elections Porto  
13 Rico shall be divided by the executive council into seven dis-  
14 tricts, composed of contiguous territory and as nearly equal  
15 as may be in population, and each district shall be entitled  
16 to five members of the house of delegates.

17 ELECTION OF DELEGATES.

18 SEC. 27. That the first election for delegates shall be  
19 held on such date and under such regulations as to ballots  
20 and voting as the executive council may prescribe; and at  
21 such elections the voters of each legislative district shall choose  
22 five delegates to represent them in the house of delegates  
23 from the date of their election and qualification until two years  
24 from and after the first day of January next ensuing; of all  
25 which thirty days' notice shall be given by publication in the



1 *Official Gazette, or by printed notices distributed and posted*  
2 *throughout the district, or by both, as the executive council*  
3 *may prescribe. At such elections all citizens of Porto Rico*  
4 *shall be allowed to vote who possess the qualifications of voters*  
5 *under the laws and military orders in force on the first day*  
6 *of March, nineteen hundred, subject to such additional qual-*  
7 *ifications and such regulations and restrictions as to registra-*  
8 *tion as may be prescribed by the executive council. The house*  
9 *of delegates so chosen shall convene at the capital and organ-*  
10 *ize by the election of a speaker, a clerk, a sergeant-at-arms, and*  
11 *such other officers and assistants as it may require, at such time*  
12 *as may be designated by the executive council; but it shall not*  
13 *continue in session longer than sixty days in any one year, un-*  
14 *less called by the governor to meet in extraordinary session.*  
15 *The enacting clause of the laws shall be, "Be it enacted by the*  
16 *legislative assembly of Porto Rico;" and each member of the*  
17 *house of delegates shall be paid for his services at the rate of*  
18 *five dollars per day for each day's attendance while the house*  
19 *is in session, and mileage at the rate of ten cents per mile for*  
20 *each mile necessarily traveled each way to and from each*  
21 *session of the legislative assembly.*

22 *All future elections of delegates shall be governed by*  
23 *the provisions hereof, so far as they are applicable, until the*  
24 *legislative assembly shall otherwise provide.*

1        *SEC. 28. That the house of delegates shall be the sole*  
2 *judge of the elections, returns, and qualifications of its mem-*  
3 *bers, and shall have and exercise all the powers with respect*  
4 *to the conduct of its proceedings that usually appertain to par-*  
5 *liamentary legislative bodies. No person shall be eligible to*  
6 *membership in the house of delegates who is not twenty-five*  
7 *years of age and able to read and write either the Spanish or*  
8 *the English language, or who is not possessed in his own right*  
9 *of taxable property, real or personal, situated in Porto Rico.*

10        *SEC. 29. That all bills may originate in either house,*  
11 *but no bill shall become a law unless it be passed in each house*  
12 *by a majority vote of all the members belonging to such house*  
13 *and be approved by the governor within ten days there-*  
14 *after. If, when a bill that has been passed is presented to*  
15 *the governor for signature, he approve the same, he shall*  
16 *sign it, or if not he shall return it, with his objections, to*  
17 *that house in which it originated, which house shall enter*  
18 *his objections at large on its journal, and proceed to*  
19 *reconsider the bill. If, after such reconsideration, two-thirds*  
20 *of that house shall agree to pass the bill, it shall be sent,*  
21 *together with the objections, to the other house, by which it*  
22 *shall likewise be considered, and if approved by two-thirds*  
23 *of that house it shall become a law. But in all such cases*  
24 *the votes of both houses shall be determined by yeas and*  
25 *nays, and the names of the persons voting for and against*

1 *the bill shall be entered upon the journal of each house,*  
2 *respectively. If any bill shall not be returned by the gov-*  
3 *ernor within ten days (Sundays excepted) after it shall have*  
4 *been presented to him, the same shall be a law in like man-*  
5 *ner as if he had signed it, unless the legislative assembly by*  
6 *adjournment prevent its return, in which case it shall not be*  
7 *a law: Provided, however, That all laws enacted by the legisla-*  
8 *tive assembly shall be reported to the Congress of the United*  
9 *States, which hereby reserves the power and authority, if*  
10 *deemed advisable, to annul the same.*

11 *SEC. 30. That the legislative authority herein provided*  
12 *shall extend to all matters of a legislative character not*  
13 *locally inapplicable, including power to create, consolidate,*  
14 *and reorganize the municipalities, so far as may be neces-*  
15 *sary, and to provide and repeal laws and ordinances there-*  
16 *for; and also the power to alter, amend, modify, and repeal*  
17 *any and all laws and ordinances of every character now in*  
18 *force in Porto Rico, or any municipality or district thereof,*  
19 *not inconsistent with the provisions hereof: Provided, how-*  
20 *ever, That all grants of franchises, rights, and privileges or*  
21 *concessions of a public or quasi-public nature shall be made*  
22 *by the executive council, with the approval of the governor,*  
23 *subject also to the approval of the President of the United*  
24 *States, who shall report the same to Congress.*

## THE JUDICIARY.

1  
2       *SEC. 31. That the judicial power shall be vested in the*  
3 *courts and tribunals of Porto Rico as already established*  
4 *and now in operation, including municipal courts, under and*  
5 *by virtue of General Orders, Numbered One hundred and*  
6 *eighteen, as promulgated by Brigadier-General Davis, United*  
7 *States Volunteers, August sixteenth, eighteen hundred and*  
8 *ninety-nine, and including also the police courts established by*  
9 *General Orders, Numbered One hundred and ninety-five, pro-*  
10 *mulgated November twenty-ninth, eighteen hundred and ninety-*  
11 *nine, by Brigadier-General Davis, United States Volunteers,*  
12 *and the laws and ordinances of Porto Rico and the munici-*  
13 *palties thereof in force, so far as the same are not in conflict*  
14 *herewith, all which courts and tribunals are hereby continued.*  
15 *The jurisdiction of said courts and the form of procedure in*  
16 *them, and the various officials and attachés thereof, respec-*  
17 *tively, shall be the same as defined and prescribed in and*  
18 *by said laws and ordinances, and said General Orders,*  
19 *Numbered One hundred and eighteen and One hundred*  
20 *and ninety-five, until otherwise provided by law: Provided,*  
21 *however, That the chief justice and associate justices of*  
22 *the supreme court and the marshal thereof shall be*  
23 *appointed by the President, by and with the advice and*  
24 *consent of the Senate, and the judges of the district courts*  
25 *shall be appointed by the governor, by and with the advice*

1 *and consent of the executive council, and all other officials*  
2 *and attachés of all the other courts shall be chosen as may be*  
3 *directed by the legislative assembly, which shall have authority*  
4 *to legislate from time to time as it may see fit with respect to*  
5 *said courts, and any others they may deem it advisable to es-*  
6 *tablish, their organization, the number of judges and officials*  
7 *and attachés for each, their jurisdiction, their procedure, and*  
8 *all other matters affecting them.*

9 *SEC. 32. That Porto Rico shall constitute a judicial*  
10 *district to be called "the district of Porto Rico," which shall*  
11 *be attached to, and be a part of, the second judicial circuit of*  
12 *the United States. The President, by and with the advice and*  
13 *consent of the Senate, shall appoint a district judge, a district*  
14 *attorney, and a marshal for said district, each for a term of*  
15 *four years, unless sooner removed by the President. The*  
16 *district court for said district shall have power to appoint*  
17 *all necessary officials and assistants, including a clerk, an*  
18 *interpreter, and such commissioners as may be necessary,*  
19 *who shall have like power and duties as are exercised and*  
20 *performed by commissioners of the circuit courts of the*  
21 *United States, and shall have, in addition to the ordinary*  
22 *jurisdiction of district courts of the United States, jurisdiction*  
23 *of all cases cognizant in the circuit courts of the United States,*  
24 *and shall proceed therein in the same manner as a circuit*  
25 *court. The laws of the United States relating to appeals,*

1 *writs of error and certiorari, removal of causes, and other*  
2 *matters and proceedings as between the courts of the United*  
3 *States and the courts of the several States shall govern in*  
4 *such matters and proceedings as between the courts of the*  
5 *United States and the courts of Porto Rico. Regular terms*  
6 *of said court shall be held at San Juan, commencing on the*  
7 *second Monday in April and October of each year, and also*  
8 *at Ponce on the second Monday in January of each year,*  
9 *and special terms may be held at such other times and places*  
10 *in the district as said judge may deem expedient. All plead-*  
11 *ings and proceedings in said court shall be conducted in the*  
12 *English language.*

13 *The United States district court hereby established shall*  
14 *be the successor to the United States provisional court estab-*  
15 *lished by General Orders, Numbered Eighty-eight, promul-*  
16 *gated by Brigadier-General Davis, United States Volunteers,*  
17 *and shall take possession of all records of that court, and take*  
18 *jurisdiction of all cases and proceedings pending therein, and*  
19 *said United States provisional court is hereby discontinued.*

20 *SEC. 33. That writs of error and appeals from the*  
21 *final decisions of the supreme court of Porto Rico shall be*  
22 *allowed and may be taken to the Supreme Court of the*  
23 *United States in the same manner and under the same regu-*  
24 *lations and in the same cases as from the supreme courts of*  
25 *the Territories of the United States; and such writs of error*

1 and appeal shall be allowed in all cases where the Constitution  
2 of the United States, or a treaty thereof, or an Act of Con-  
3 gress is brought in question and the right claimed thereunder  
4 is denied; and the supreme and district courts of Porto Rico  
5 and the respective judges thereof may grant writs of habeas  
6 corpus in all cases in which the same are grantable by the  
7 judges of the United States in the District of Columbia. All  
8 such proceedings in the Supreme Court of the United States  
9 shall be conducted in the English language.

10       SEC. 34. That the salaries of all officials of Porto Rico  
11 not appointed by the President, including deputies, assistants,  
12 and other help, shall be such, and be so paid out of the reve-  
13 nues of Porto Rico, as the executive council shall from time  
14 to time determine: Provided, however, That the salary of no  
15 officer shall be either increased or diminished during his term  
16 of office. The salaries of all officers and all expenses of  
17 the offices of the various officials of Porto Rico, appointed as  
18 herein provided by the President, including deputies, assist-  
19 ants, and other help, shall also be paid out of the revenues of  
20 Porto Rico on the warrant of the auditor, countersigned by  
21 the governor.

22       The annual salaries of the officials appointed by the  
23 President, and so to be paid, shall be as follows:

24       The governor, eight thousand dollars; in addition thereto  
25 he shall be entitled to the occupancy of the buildings hereto-

1 *fore used by the chief executive of Porto Rico, with the fur-*  
2 *niture and effects therein, free of rental.*

3 *The secretary, four thousand dollars.*

4 *The attorney-general, four thousand dollars.*

5 *The treasurer, five thousand dollars.*

6 *The auditor, four thousand dollars.*

7 *The commissioner of the interior, four thousand dollars.*

8 *The commissioner of education, three thousand dollars.*

9 *The chief justice of the supreme court, five thousand dol-*  
10 *lars.*

11 *The associate justices of the supreme court (each), four*  
12 *thousand five hundred dollars.*

13 *The marshal of the supreme court, three thousand dollars.*

14 *The United States district judge, five thousand dollars.*

15 *The United States district attorney, four thousand dol-*  
16 *lars.*

17 *The United States district marshal, three thousand five*  
18 *hundred dollars.*

19 *SEC. 35. That the provisions of the foregoing section*  
20 *shall not apply to the municipal officials. Their salaries and*  
21 *the compensation of their deputies, assistants, and other help,*  
22 *as well as all other expenses incurred by the municipalities,*  
23 *shall be paid out of the municipal revenues in such manner*  
24 *as the legislative assembly shall provide.*

25 *SEC. 36. That no export duties shall be levied or*



1 collected on exports from Porto Rico; but taxes and  
2 assessments on property, and license fees for franchises,  
3 privileges, and concessions may be imposed for the purposes  
4 of the insular and municipal governments, respectively, as  
5 may be provided and defined by act of the legislative as-  
6 sembly; and where necessary to anticipate taxes and revenues,  
7 bonds and other obligations may be issued by Porto Rico or  
8 any municipal government therein as may be provided by law  
9 to provide for expenditures authorized by law, and to protect  
10 the public credit, and to reimburse the United States for any  
11 moneys which have been or may be expended out of the emer-  
12 gency fund of the War Department for the relief of the  
13 industrial conditions of Porto Rico caused by the hurricane  
14 of August eighth, eighteen hundred and ninety-nine: Provided,  
15 however, That no public indebtedness of Porto Rico or of  
16 any municipality thereof shall be authorized or allowed in  
17 excess of ten per centum of the aggregate tax valuation of its  
18 property.

19       SEC. 37. That the qualified voters of Porto Rico shall,  
20 on the first Tuesday after the first Monday of November,  
21 anno Domini nineteen hundred, and every two years there-  
22 after, choose one Delegate to the House of Representatives of  
23 the United States, who shall be entitled to a seat, but not to a  
24 vote, in that body, on the certificate of election of the governor

1 of Porto Rico, who shall have the same rights provided by  
2 law for a Territorial Delegate, and the same compensation  
3 payable as now provided by law for a Territorial Delegate:  
4 Provided, That no person shall be eligible to such election  
5 who is not a bona fide inhabitant of Porto Rico, and who is  
6 not thirty years of age, and who does not read and write the  
7 English language, and who is not possessed of taxable  
8 property in his own right situated in Porto Rico.

9       SEC. 38. That a commission, to consist of three mem-  
10 bers, at least one of whom shall be a native citizen of Porto  
11 Rico, shall be appointed by the President, by and with  
12 the advice and consent of the Senate, to compile and  
13 revise the laws of Porto Rico; also the various codes of  
14 procedure and systems of municipal government now in  
15 force, and to frame and report such legislation as may be  
16 necessary to make a simple, harmonious, and economical  
17 government, establish justice and secure its prompt and efficient  
18 administration, inaugurate a general system of education and  
19 public instruction, provide buildings and funds therefor, equal-  
20 ize and simplify taxation and all the methods of raising rev-  
21 enue, and make all other provisions that may be necessary to  
22 secure and extend the benefits of a republican form of govern-  
23 ment to all the inhabitants of Porto Rico; and all the expenses  
24 of such commissioners, including all necessary clerks and  
25 other assistants that they may employ, and a salary to each

1 *member of the commission at the rate of five thousand dol-*  
2 *lars per annum, shall be allowed and paid out of the treasury*  
3 *of Porto Rico as a part of the expenses of the government of*  
4 *Porto Rico. And said commission shall make full and*  
5 *final report of all its proceedings and recommendations to*  
6 *the Congress on or before one year after the passage of this*  
7 *Act.*

8       *SEC. 39. That this Act shall take effect and be in force*  
9 *from and after the first day of April, nineteen hundred.*

Passed the House of Representatives February 28, 1900.

Attest:

A. McDOWELL,

*Clerk.*

CALENDAR NO., 522.

50TH CONGRESS, }  
1ST SESSION. } **H. R. 8245.**

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# AN ACT

Temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes.

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MARCH 1, 1900.—Read twice and referred to the Committee on Pacific Islands and Porto Rico.

MARCH 1, 1900.—Reported with amendments.

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IN THE SENATE OF THE UNITED STATES.

MARCH 8, 1900.

Ordered to be printed.

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## AMENDMENTS

Intended to be proposed by Mr. BACON to the bill (H. R. 8245) temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes, viz:

1       Strike out from section eight all from the beginning  
2 thereof to and including the word "Congress" in the twenty-  
3 third line, on page eight, and insert in lieu thereof the following:  
4       SEC. 8. That on and after the date when this Act shall  
5 take effect there shall be levied, collected, and paid upon all  
6 articles imported from foreign countries into Porto Rico,  
7 which is hereby constituted a customs collection district, the  
8 rates of duty mentioned and prescribed in the schedules and  
9 paragraphs of an Act entitled "An Act to provide revenue  
10 for the Government and to encourage the industries of the  
11 United States," approved July twenty-fourth, eighteen hun-  
12 dred and ninety-seven; and on and after the date when this  
13 Act shall take effect, organizing and establishing civil govern-  
14 ment in Porto Rico, there shall, in accordance with section

1 eight, article one, of the Constitution of the United States, be  
 2 no duties or imposts levied, collected, or paid upon any arti-  
 3 cles imported into Porto Rico from any part of the United  
 4 States, and no duties or imposts shall be levied, collected, or  
 5 paid upon any articles imported into any part of the United  
 6 States from Porto Rico.

7 Strike out all of section ten.

56TH CONGRESS,  
 1ST SESSION.

} H. R. 8245.

## AMENDMENTS

Intended to be proposed by Mr. BACON to the  
 bill (H. R. 8245) temporarily to provide reve-  
 nues for the relief of the island of Puerto  
 Rico, and for other purposes.

MARCH 8, 1900.—Ordered to be printed.

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IN THE SENATE OF THE UNITED STATES.

MARCH 30, 1900.

Ordered to be printed.

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## **AMENDMENT**

Intended to be proposed by Mr. DAVIS to the bill (H. R. 8245) temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes, viz: Strike out all of sections 9 and 10 and all of section 12 after the word "States," in line 6, and insert in lieu thereof the following:

1       That Porto Rico is hereby made an internal-revenue  
2 district. That the laws of the United States providing for  
3 internal-revenue taxation and collection not locally inappli-  
4 cable are hereby extended to and shall remain in force in  
5 Porto Rico while this Act shall continue in force. The  
6 President, by and with the advice and consent of the Senate,  
7 shall appoint a collector of internal revenue for said district,  
8 who shall receive an annual salary of four thousand dollars  
9 and whose office shall be at San Juan.

10       SEC. 2. That all the internal-revenue taxes imposed by  
11 the laws of the United States shall be collected in said district.  
12 The Secretary of the Treasury is hereby authorized and

1 directed to make all needful regulations to carry this Act into  
2 effect and to prescribe the compensation of all officers and  
3 agents necessary for that purpose.

4       SEC. 3. That the amount of all taxes so collected, or so  
5 much thereof as may be necessary, less the expenses of collec-  
6 tion, are hereby appropriated and placed at the disposal of the  
7 President, to be expended under his direction for the govern-  
8 ment of Porto Rico now existing or hereafter to be estab-  
9 lished, and for public education, public works, and other govern-  
10 mental and public purposes therein.

11       SEC. 4. That no duties on imports or exports shall, after  
12 the passage of this Act, be levied or collected on any articles  
13 imported from the United States into Porto Rico or from  
14 Porto Rico into the United States.

15       SEC. 5. That this Act shall be taken and held to be  
16 provisional in its purposes and intended to meet a pressing  
17 present need for revenue for the island of Porto Rico, and  
18 shall not continue in force after the first day of March, nine-  
19 teen hundred and two.



5674 }  
1ST SESSION. } **H. R. 8245.**

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## **AMENDMENT**

Intended to be proposed by Mr. DAVIS to the bill (H. R. 8245) temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes.

---

MARCH 30, 1900.—Ordered to be printed.



1 reside therein who were Spanish subjects on the eleventh day  
2 of April, eighteen hundred and ninety-nine, and then resided  
3 in Puerto Rico, shall be deemed and held to be citizens of the  
4 United States, except such as shall have elected to preserve  
5 their allegiance to the Crown of Spain on or before the elev-  
6 enth day of April, nineteen hundred, in accordance with the  
7 provisions of the treaty of peace between the United States  
8 and Spain entered into on the eleventh day of April, eighteen  
9 hundred and ninety-nine; and they shall constitute a body  
10 politic with governmental powers as hereinafter conferred, and  
11 with power to sue and be sued in the courts of the United  
12 States in the name of the "Island of Puerto Rico" in all  
13 cases in which such courts have jurisdiction where one of the  
14 parties is a State or Territory of the United States.

15       SEC. 4. That the laws and ordinances now in force in  
16 the island of Puerto Rico shall continue in full force and  
17 effect, except as altered, amended, or modified hereinafter, or  
18 by military orders and decrees now in force, and so far as the  
19 same are not inconsistent or in conflict with the Constitution  
20 and laws of the United States locally applicable, or the pro-  
21 visions hereof, until altered, amended, or repealed by the leg-  
22 islative authority hereinafter provided for the island or by Act  
23 of Congress of the United States.

24       SEC. 5. That the laws of the United States relating to  
25 commerce, navigation, and merchant seamen are hereby

1 extended to and over the island of Puerto Rico and all said  
2 adjacent islands and waters, and the Commissioner of Navi-  
3 gation may make such regulations as he may deem expedient  
4 for the nationalization of all vessels owned by the inhabitants  
5 of the island on the eleventh day of April, eighteen hundred  
6 and ninety-nine, and which continued to be so owned up to  
7 the date of such nationalization, and the coasting trade  
8 between the island and any other portion of the United States  
9 shall be regulated in accordance with the provisions of law  
10 applicable to such trade between any two great coasting dis-  
11 tricts.

12       SEC. 6. That on and after the date of the passage of  
13 this Act there shall be levied, collected, and paid upon all  
14 articles imported, except from the United States into the  
15 island of Puerto Rico, the rates of duty mentioned and pre-  
16 scribed in the schedules and paragraphs of the Act "To pro-  
17 vide revenue for the Government, and to encourage industries  
18 of the United States," approved July twenty-fourth, eighteen  
19 hundred and ninety-seven, in the same manner and to the  
20 same extent as if said schedules and paragraphs were ex-  
21 pressly reenacted in this Act, and all the other provisions and  
22 paragraphs of such Act comprised in the sections thereof  
23 from two to thirty-four, inclusive, not locally inapplicable  
24 shall be and remain in force in said island of Puerto Rico  
25 until otherwise provided by Congress: *Provided, however,*

1 That all collections made hereunder shall be paid into the  
2 treasury of the island, to be expended as required by law for  
3 the government and benefit of the island instead of being  
4 paid into the Treasury of the United States.

5 SEC. 7. That on and after the passage of this Act there  
6 shall be collected within the island of Puerto Rico all the internal-  
7 revenue taxes imposed under the provisions of the Revised  
8 Statutes elsewhere in the United States in so far as the same  
9 are locally applicable, and all the provisions of the laws of the  
10 United States providing for internal-revenue taxation and the  
11 collection thereof not locally inapplicable shall be and remain  
12 in force within the island of Puerto Rico until otherwise pro-  
13 vided by Congress.

14 SEC. 8. That on and after the passage of this Act all  
15 merchandise coming into the United States from the island of  
16 Puerto Rico, and all merchandise going from the United  
17 States into the island of Puerto Rico, shall be admitted into the  
18 respective ports of entry free of all tariffs, customs, and duties,  
19 all laws and parts of laws to the contrary notwithstanding.

20 SEC. 9. That all expenses that may be incurred on ac-  
21 count of the government of Puerto Rico for salaries of offi-  
22 cials and the conduct of their offices and departments, and all  
23 expenses and obligations contracted for the internal improve-  
24 ment or development of the island, not, however, including  
25 harbors, light-houses, buoys, and other works undertaken by

1 the United States, shall be paid by the treasurer of the island  
2 out of the revenues in his hands, and not be a liability in any  
3 case of the United States.

4 SEC. 10. That the Constitution and all the laws of the  
5 United States locally applicable, except as hereinbefore or  
6 hereinafter otherwise provided, shall have the same force and  
7 effect in the island of Puerto Rico as elsewhere in the United  
8 States.

9 SEC. 11. That the legislative authority hereinafter pro-  
10 vided shall have power by due enactment to amend, alter,  
11 modify, or repeal any law or ordinance, civil or criminal, con-  
12 tinued in force by this Act, as it may from time to time see fit.

13 SEC. 12. That all vested property rights, and all obliga-  
14 tions, contracts, rights of action, suits at law and in equity,  
15 prosecutions for crimes and misdemeanors, and all sentences  
16 and civil judgments and decrees now existing shall remain  
17 unaffected by this Act and continue enforceable.

18 SEC. 13. That all judicial and legal process shall run in  
19 the name of "The United States of America, island of Puerto  
20 Rico," and all criminal or penal prosecutions shall be con-  
21 ducted in the name and by the authority of "The United  
22 States of America, island of Puerto Rico."

23 THE GOVERNOR.

24 SEC. 14. That the official title of the chief executive  
25 officer of the island shall be "the governor of Puerto Rico."

1 He shall be appointed by the President, by and with the advice  
2 and consent of the Senate; he shall hold his office for a term  
3 of four years and until his successor is chosen and qualified, un-  
4 less sooner removed by the President; he shall reside in the  
5 island during his official incumbency, and shall maintain his  
6 office at the seat of government; he may grant pardons and re-  
7 prieves, and remit fines and forfeitures for offenses against the  
8 laws of the island, and respites for offenses against the laws of  
9 the United States, until the decision of the President can be  
10 ascertained; he shall commission all officers of the island that  
11 he may be authorized to appoint, and shall participate in and  
12 may veto any legislation enacted by the legislative authority  
13 of the island, as hereinafter provided; he shall be the com-  
14 mander in chief of the militia of the island and shall at all  
15 times faithfully execute the laws of the island, and he shall  
16 in that behalf have all the powers of governors of the Terri-  
17 tories of the United States that are locally applicable; and he  
18 shall annually, and at such other times as he may be required,  
19 make official report of the proceedings and condition of gov-  
20 ernment in the island, through the Secretary of State, to the  
21 President of the United States.

22 THE EXECUTIVE COUNCIL.

23 SEC. 15. That there shall be appointed by the President,  
24 by and with the advice and consent of the Senate, for the  
25 period of four years, unless sooner removed by the President,

1 a secretary, an attorney-general, a treasurer, an auditor, a com-  
2 missioner of the interior, and a commissioner of education, each  
3 of whom shall reside in the island during his official incumbency  
4 and have the powers and duties hereinafter provided for them,  
5 respectively, and who, together with the governor and five  
6 other persons of good repute, to be also appointed by the  
7 President, by and with the advice and consent of the Senate,  
8 from the native inhabitants of the island, shall constitute an  
9 executive council, and, in addition to the legislative duties  
10 hereinafter imposed upon them as a body, exercise such powers  
11 and perform such duties as are hereinafter provided for them,  
12 respectively.

13       SEC. 16. That the secretary shall record and preserve  
14 minutes of the proceedings of the executive council and the  
15 laws enacted by the legislative assembly of the island, and all  
16 acts and proceedings of the governor, and shall promulgate all  
17 proclamations and orders of the governor and all laws enacted  
18 by the legislative assembly. He shall, within sixty days after  
19 the end of each session of the legislative assembly, transmit  
20 to the President, the President of the Senate, the Speaker of  
21 the House of Representatives, and the Secretary of State of  
22 the United States one copy each of the laws and journals of  
23 such session.

24       SEC. 17. That in case of the death, removal, resignation,  
25 or disability of the governor, or his temporary absence from



1 the island, the secretary shall exercise all the powers and per-  
2 form all the duties of the governor during such vacancy, dis-  
3 ability, or absence.

4 SEC. 18. That the attorney-general shall have all the  
5 powers and discharge all the duties provided by law for an  
6 attorney-general of a Territory of the United States in so far  
7 as the same are locally applicable, and he shall perform such  
8 other duties as may be prescribed by law, and make such re-  
9 ports, through the governor, to the Attorney-General of the  
10 United States as that officer may require.

11 SEC. 19. That the treasurer shall collect and be the  
12 custodian of the public funds, and shall disburse the same as  
13 required by law, and shall perform such other duties as may  
14 be prescribed by law, and make, through the governor, such  
15 reports to the Secretary of the Treasury of the United States  
16 as that officer may require.

17 SEC. 20. That the auditor shall keep full and accurate  
18 accounts, showing all receipts and disbursements, and perform  
19 such other duties as may be prescribed by law, and make,  
20 through the governor, such reports to the Secretary of the  
21 Treasury of the United States as that officer may require.

22 SEC. 21. That the commissioner of the interior shall  
23 superintend all works of a public nature, and shall have charge  
24 of all public buildings, grounds, and lands, except those  
25 belonging to the United States, and shall execute such

1 requirements as may be imposed by law with respect thereto,  
2 and shall perform such other duties as may be prescribed by  
3 law and make such reports through the governor to the  
4 Secretary of the Interior of the United States as that official  
5 may require.

6       SEC. 22. That the commissioner of education shall su-  
7 perintend public instruction throughout the island, and all  
8 disbursements on account thereof must be approved by him;  
9 and he shall perform such other duties as may be prescribed  
10 by law and make such reports through the governor as may  
11 be required by the Commissioner of Education of the United  
12 States.

13       SEC. 23. That the other five members of the executive  
14 council, to be appointed from natives of the island, as herein-  
15 before provided, shall attend all meetings of the executive  
16 council and participate in all business of every character that  
17 may be transacted by it; and they shall receive as compen-  
18 sation for their services such annual salaries as may be pro-  
19 vided by the legislative assembly.

20                                   HOUSE OF DELEGATES.

21       SEC. 24. That the local legislative authority for the  
22 island shall consist of two houses; one the executive council,  
23 as hereinbefore constituted, and the other a house of delegates,  
24 to consist of thirty-five members elected biennially by the

1 qualified voters of the island, as hereinafter provided; and the  
2 two houses thus constituted shall be designated "the legisla-  
3 tive assembly of the island of Puerto Rico, United States of  
4 America."

5       SEC. 25. That for the purpose of such elections, and for  
6 judicial and other governmental purposes, the island shall be  
7 divided by the executive council into five districts, composed  
8 of contiguous territory and as nearly equal as may be in popu-  
9 lation, and each district shall be entitled to seven members of  
10 the house of delegates.

11                               ELECTION OF DELEGATES.

12       SEC. 26. That the first election for delegates shall be  
13 held on such date and under such regulations as to ballots and  
14 voting as the executive council may prescribe; and at such  
15 elections the voters of each legislative district shall choose  
16 seven delegates to represent them in the house of delegates  
17 from the date of their election and qualification until two years  
18 from and after the first day of January next ensuing; of all  
19 which thirty days' notice shall be given by publication in the  
20 Official Gazette, or by printed notices distributed and posted  
21 throughout the district, as the executive council may pre-  
22 scribe. At such elections all citizens of the island shall be  
23 allowed to vote who possess the qualifications of voters under  
24 the laws and military orders now in force in the island, subject  
25 to such regulations and restrictions as to registration and other-

1 wise as may be now provided, or as may be prescribed by  
2 the executive council. The house of delegates so chosen shall  
3 convene at the capital and organize by the election of a  
4 speaker, a clerk, a sergeant-at-arms, and such other officers  
5 and assistants as it may require, at such time as may be des-  
6 ignated by the executive council; but it shall not continue in  
7 session longer than sixty days in any one year, unless called  
8 by the governor to meet in extraordinary session. The en-  
9 acting clause of the laws shall be, "Be it enacted by the leg-  
10 islative assembly of the island of Puerto Rico, United States  
11 of America;" and each member of the house of delegates  
12 shall be paid for his services at the rate of five dollars per  
13 day for each day's attendance while the house is in session.

14 All future elections of delegates shall be governed by  
15 the provisions hereof, so far as they are applicable, until the  
16 legislative assembly shall otherwise provide.

17 SEC. 27. That the house of delegates shall be the sole  
18 judge of the qualifications of its members, and shall have and  
19 exercise all the powers with respect to the conduct of its pro-  
20 ceedings that usually appertain to parliamentary legislative  
21 bodies. No person shall be eligible to membership in the  
22 house of delegates who is not twenty-five years of age and  
23 able to read and write either the Spanish or the English lan-  
24 guage, or who is not possessed in his own right of property,

1 real or personal, situated in the island, of the value of at least  
2 two thousand dollars.

3       SEC. 28. That all laws enacted may originate in either  
4 body, but no bill shall become a law unless it be passed  
5 in each body by a majority vote of all the members belong-  
6 ing to such body and be approved by the governor within  
7 ten days thereafter. If, when a bill that has been passed is  
8 presented to the governor for signature, he approve the same,  
9 he shall sign it, or if not he shall return it, with his objec-  
10 tions, to that house in which it originated, which house shall  
11 enter his objections at large on its journal, and proceed to  
12 reconsider the bill. If, after such reconsideration, two-thirds  
13 of that house shall agree to pass the bill, it shall be sent,  
14 together with the objections, to the other house, by which it  
15 shall likewise be considered, and, if approved by two-thirds  
16 of that house, it shall become a law. But in all such cases  
17 the votes of both houses shall be determined by yeas and  
18 nays, and the names of the persons voting for and against  
19 the bill shall be entered upon the journal of each house,  
20 respectively. If any bill shall not be returned by the gov-  
21 ernor within ten days (Sundays excepted) after it shall have  
22 been presented to him, the same shall be a law in like man-  
23 ner as if he had signed it, unless the legislative assembly by  
24 adjournment prevent its return, in which case it shall not be  
25 a law.



1 conflict herewith or with the Constitution of the United  
2 States, all which courts and tribunals are hereby continued.  
3 The jurisdiction of said courts and the form of procedure in  
4 them, and the various officials and attachés thereof, respec-  
5 tively, shall be the same as defined and prescribed in and  
6 by said laws and ordinances, and said General Orders,  
7 Numbered One hundred and eighteen, until otherwise  
8 provided by law: *Provided, however,* That the chief-justice  
9 and associate justices of the supreme court and the marshal  
10 thereof shall be appointed by the President, by and with the  
11 advice and consent of the Senate, and the judges of the dis-  
12 trict courts shall be appointed by the governor of the island,  
13 and all other officials and attachés of all the other courts shall  
14 be chosen as may be directed by the legislative assembly of  
15 the island, which shall have authority to legislate from time  
16 to time as it may see fit with respect to said courts, and any  
17 others they may deem it advisable to establish, their organi-  
18 zation, the number of judges and officials and attachés for each,  
19 their jurisdiction, their procedure, and all other matters affect-  
20 ing them.

21       SEC. 31. That the island of Puerto Rico shall constitute  
22 a judicial district to be called "the district of Puerto Rico."  
23 The President, by and with the advice and consent of the Senate,  
24 shall appoint a district judge, a district attorney, and a marshal  
25 for said district, each for a term of four years, unless sooner

1 removed by the President. The district court for said dis-  
2 trict shall have, in addition to the ordinary jurisdiction of  
3 district courts of the United States, jurisdiction of all cases  
4 cognizant in the circuit courts of the United States, and shall  
5 proceed therein in the same manner as a circuit court. The  
6 laws of the United States relating to appeals, writs of error  
7 and certiorari, removal of causes, and other matters and  
8 proceedings as between the courts of the United States and  
9 the courts of the several States shall govern in such matters  
10 and proceedings as between the courts of the United States  
11 and the courts of the island. Regular terms of said court  
12 shall be held at San Juan, commencing on the second Mon-  
13 day in April and October of each year, and also at Ponce  
14 on the second Monday in January of each year, and special  
15 terms may be held at Mayaguez at such other times and  
16 places in the district as said judge may deem expedient. All  
17 pleadings and proceedings in said court shall be conducted in  
18 the English language.

19 The United States district court hereby established shall  
20 be the successor to the United States provisional court estab-  
21 lished by General Orders, Numbered Eighty-eight, promul-  
22 gated by Brigadier-General Davis, and shall take possession  
23 of all records of that court, and take jurisdiction of all cases  
24 and proceedings pending therein, and said United States pro-  
25 visional court is hereby discontinued.



1       SEC. 32. That writs of error and appeals from the final  
2 decisions of the supreme court of the island shall be allowed  
3 and may be taken to the Supreme Court of the United States  
4 in the same manner and under the same regulations and in  
5 the same cases as from the supreme courts of the Territories  
6 of the United States; and such writs of error and appeal  
7 shall be allowed in all cases where the Constitution of the  
8 United States, or a treaty thereof, or an Act of Congress is  
9 brought in question and the right claimed thereunder is  
10 denied; and the supreme and district courts of the island and  
11 the respective judges thereof may grant writs of habeas  
12 corpus in all cases in which the same are grantable by the  
13 judges of the United States in the District of Columbia. All  
14 proceedings in the Supreme Court of the United States shall  
15 be conducted in the English language.

16       SEC. 33. That the salaries of all officials of the island  
17 not appointed by the President, including deputies, assistants,  
18 and other help, shall be such, and be so paid out of the reve-  
19 nues of the island, as the executive council shall from time to  
20 time determine: *Provided, however,* That the salary of no  
21 officer shall be either increased or diminished during his term  
22 of office. The salaries of all officers and all expenses of the  
23 offices of the various officials for the island, appointed as  
24 herein provided by the President, including deputies, assist-  
25 ants, and other help, shall also be paid out of the revenues of

1 the island on the warrant of the auditor, who shall pay all  
2 salaries, and also all items of official expense approved by the  
3 executive council and duly audit the same.

4 The annual salaries of the officials appointed by the  
5 President, and so to be paid, shall be as follows:

6 The governor, ten thousand dollars.

7 The secretary, four thousand dollars.

8 The attorney-general, four thousand dollars.

9 The auditor, four thousand dollars.

10 The commissioner of the interior, four thousand dollars.

11 The commissioner of education, four thousand dollars.

12 The chief justice of the supreme court, five thousand  
13 dollars.

14 The associate justices of the supreme court (each), four  
15 thousand five hundred dollars.

16 The marshal of the supreme court, three thousand dollars.

17 The United States district judge, five thousand dollars.

18 The United States district attorney, four thousand dollars.

19 The United States district marshal, three thousand five  
20 hundred dollars.

21 SEC. 34. That the provisions of the foregoing section  
22 shall not apply to the municipal officials. Their salaries and the  
23 compensation of their deputies, assistants, and other help, as  
24 well as all other expenses incurred by the municipalities, shall

1 be paid out of the municipal revenues in such manner as the  
2 legislative assembly shall provide.

3       SEC. 35. That no export duties shall be levied or col-  
4 lected on exports from the island; but taxes and assessments  
5 on property, and license fees for franchises, privileges, and  
6 concessions may be imposed for the purposes of the insular  
7 and municipal governments, respectively, as may be provided  
8 and defined by act of the legislative assembly; and where  
9 necessary to anticipate taxes and revenues, bonds and other  
10 obligations may be issued by the island or any municipal  
11 government therein as may be provided by law to provide  
12 for expenditures authorized by law, and to protect the public  
13 credit: *Provided, however,* That no public indebtedness of  
14 the island or of any municipality thereof shall be authorized or  
15 allowed in excess of ten per centum of the aggregate tax valua-  
16 tion of the property of the island or municipality, respectively.

17       SEC. 36. That the qualified voters of the island shall, on  
18 the first Tuesday after the first Monday of November, anno  
19 Domini nineteen hundred, and every two years thereafter,  
20 choose one Delegate to the House of Representatives of the  
21 United States, who shall be entitled to a seat, but not to a  
22 vote, in that body, on the certificate of election of the gov-  
23 ernor of the island: *Provided,* That no person shall be eligible  
24 to such election who is not a bona fide inhabitant of the  
25 island, and who is not thirty years of age and possessed of

1 property in his own right situated in the island of the value  
2 of at least two thousand dollars.

3       SEC. 37. That a commission, to consist of five members,  
4 at least two of whom shall be native citizens of the island,  
5 shall be appointed by the President, by and with the advice  
6 and consent of the Senate, to compile and revise the laws of  
7 the island; also the various codes of procedure and systems  
8 of municipal government now in force, and to frame and  
9 report such legislation as may be necessary to make a simple,  
10 harmonious, and economical government, establish justice and  
11 secure its prompt and efficient administration, inaugurate a  
12 general system of education and public instruction, provide  
13 buildings and funds therefor, equalize and simplify taxation  
14 and all the methods of raising revenue, and make all other  
15 provisions that may be necessary to secure and extend the  
16 benefits of a republican form of government to all the inhab-  
17 itants of the island; and all the expenses of such commis-  
18 sioners, including all necessary clerks and other assistants that  
19 they may employ, and a salary to each member of the com-  
20 mission at the rate of five thousand dollars per annum, shall  
21 be allowed and paid out of the insular treasury as a part of  
22 the expenses of the government of the island. And said com-  
23 mission shall make full and final report of all its proceedings  
24 and recommendations to the Congress on or before one year  
25 after the passage of this Act.

1           SEC. 38. That this Act shall take effect and be in force  
2 from and after the first day of March, nineteen hundred.

56TH CONGRESS, }  
1ST SESSION.    } **H. R. 8245.**

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## **AMENDMENT**

Intended to be proposed by Mr. Bacon to the bill (H. R. 8245) temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes.

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MARCH 30, 1900.—Ordered to be printed.

IN THE SENATE OF THE UNITED STATES.

MARCH 30, 1900.

Ordered to be printed.

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## **AMENDMENT**

Intended to be proposed by Mr. PROCTOR to the bill (H. R. 8245) temporarily to provide revenues and a civil government for Puerto Rico, and for other purposes, viz:

1       On page 4, line 19, strike out the remainder of the sen-  
2       tence after the word "shall" and insert in lieu thereof the  
3       following words: "any duties be collected after the thirtieth  
4       day of June, nineteen hundred, the end of the present fiscal  
5       year," so that the last clause of section 3 will read as follows:  
6       "And in no event shall any duties be collected after the  
7       thirtieth day of June, nineteen hundred, the end of the present  
8       fiscal year."

56TH CONGRESS, }  
1ST SESSION. } **H. R. 8245.**

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## **AMENDMENT**

Intended to be proposed by Mr. PROCTOR to the bill (H. R. 8245) temporarily to provide revenues and a civil government for Puerto Rico, and for other purposes.

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MARCH 30, 1900.—Ordered to be printed.

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IN THE SENATE OF THE UNITED STATES.

MARCH 30, 1900.

Ordered to be printed.

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## **AMENDMENT**

Intended to be proposed by Mr. FORAKER to the bill (H. R. 8245) temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes, viz: Insert the following:

1       SEC. 11. That all title which may have been acquired  
2 in Porto Rico by the United States under the cession of  
3 Spain in said treaty of peace to any public bridges, road  
4 houses, water powers, highways, unnavigable streams, and  
5 the beds thereof, subterranean waters, mines, or minerals  
6 under the surface of private lands, and all property which at  
7 the time of the cession belonged, under the laws of Spain then  
8 in force, to the various harbor-works boards of Porto Rico,  
9 and all the harbor shores, docks, slips, and reclaimed lands,  
10 but not including harbor areas or navigable waters, is hereby  
11 transferred to the government established by this Act for the  
12 benefit of the people of Porto Rico; and the legislative  
13 assembly hereby created shall have authority, subject to the  
14 limitations imposed upon all its acts, to legislate with respect  
15 to all such matters as it may deem advisable.



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## **AMENDMENT**

Intended to be proposed by Mr. FORAKER to the bill (H. R. 8245) temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes.

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MARCH 30, 1900.—Ordered to be printed.