

63D CONGRESS,  
2D SESSION.

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# H. R. 13818.

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IN THE HOUSE OF REPRESENTATIVES.

FEBRUARY 24, 1914.

Mr. JONES introduced the following bill; which was referred to the Committee on Insular Affairs and ordered to be printed.

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## A BILL

To provide a civil government for Porto Rico, and for other purposes.

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       Porto Rico and to the adjacent islands belonging to the  
5       United States, and waters of those islands; and the name  
6       Porto Rico as used in this Act shall be held to include not  
7       only the island of that name but all the adjacent islands as  
8       aforesaid.

9       SEC. 2. That no law shall be enacted in Porto Rico  
10      which shall deprive any person of life, liberty, or property

1 without due process of law, or deny to any person therein  
2 the equal protection of the laws.

3 That in all criminal prosecutions the accused shall  
4 enjoy the right to be heard by himself and counsel; to de-  
5 mand the nature and cause of the accusation against him;  
6 to have a copy thereof; to have a speedy and public trial; to  
7 meet the witnesses face to face; and to have compulsory  
8 process to compel the attendance of witnesses in his behalf.

9 That no person shall be held to answer for a criminal  
10 offense without due process of law; and no person for the  
11 same offense shall be twice put in jeopardy of punishment,  
12 nor shall be compelled in any criminal case to be a witness  
13 against himself.

14 That all persons shall before conviction beailable by  
15 sufficient sureties, except for capital offenses when the proof  
16 is evident or the presumption great.

17 That no law impairing the obligation of contracts shall  
18 be enacted.

19 That no person shall be imprisoned for debt.

20 That the privilege of the writ of habeas corpus shall not  
21 be suspended, unless when in case of rebellion, insurrection,  
22 or invasion the public safety may require it, in either of  
23 which events the same may be suspended by the President,  
24 or by the governor, whenever during such period the neces-  
25 sity for such suspension shall exists.

1       That no ex post facto law or bill of attainder shall be  
2 enacted.

3       That no law granting a title of nobility shall be en-  
4 acted, and no person holding any office of profit or trust  
5 in Porto Rico shall, without the consent of the Congress  
6 of the United States, accept any present, emolument, office,  
7 or title of any kind whatever from any king, queen, prince,  
8 or foreign state.

9       That excessive bail shall not be required, nor exces-  
10 sive fines imposed, nor cruel and unusual punishments  
11 inflicted.

12       That the right to be secure against unreasonable  
13 searches and seizures shall not be violated.

14       That neither slavery nor involuntary servitude, except  
15 as a punishment for crime whereof the party shall have  
16 been duly convicted, shall exist in Porto Rico.

17       That no law shall be passed abridging the freedom of  
18 speech or of the press, or the right of the people peaceably  
19 to assemble and petition the government for redress of  
20 grievances.

21       That no law shall be made respecting an establishment  
22 of religion or prohibiting the free exercise thereof, and that  
23 the free exercise and enjoyment of religious profession and  
24 worship, without discrimination or preference, shall forever  
25 be allowed, and that no political or religious test, other than

1 an oath to support the Constitution of the United States and  
2 the laws of Porto Rico shall be required as a qualification  
3 to any office or public trust under Porto Rico.

4 That no money shall be paid out of the treasury except  
5 in pursuance of an appropriation by law.

6 That no warrant shall issue but upon probable cause,  
7 supported by oath or affirmation, and particularly describing  
8 the place to be searched and the persons or things to be  
9 seized.

10 That all money collected on any tax levied or assessed  
11 for a special purpose shall be treated as a special fund in  
12 the treasury and paid out for such purpose only.

13 That eight hours shall constitute a day's work in all  
14 cases of employment by and on behalf of the government  
15 or any municipality of the island.

16 That the employment of children under the age of  
17 fourteen years in any occupation injurious to health or morals  
18 or especially hazardous to life or limb is hereby prohibited.

19 That the right of action to recover damages for injuries  
20 resulting in death shall never be abrogated, and the amount  
21 recoverable shall not be subject to any statutory limitation.

22 SEC. 3. That no export duties shall be levied or col-  
23 lected on exports from Porto Rico, but taxes and assess-  
24 ments on property and license fees for franchises, privileges,  
25 and concessions may be imposed for the purposes of the

1 insular and municipal governments, respectively, as may be  
2 provided and defined by the Legislature of Porto Rico; and  
3 when necessary to anticipate taxes and revenues, bonds, and  
4 other obligations may be issued by Porto Rico or any  
5 municipal government therein as may be provided by law  
6 and to protect the public credit: *Provided, however,* That  
7 no public indebtedness of Porto Rico or of any municipality  
8 thereof shall be authorized or allowed in excess of seven  
9 per centum of the aggregate tax valuation of its property,  
10 and all bonds issued by the government of Porto Rico, or  
11 by its authority, shall be exempt from taxation by the Gov-  
12 ernment of the United States, or by the government of Porto  
13 Rico, or of any political or municipal subdivision thereof,  
14 or by any State, or by any county, municipality, or other  
15 municipal subdivision of any State or Territory of the United  
16 States, or by the District of Columbia.

17       SEC. 4. That the capital of Porto Rico shall be at the  
18 city of San Juan, and the seat of government shall be main-  
19 tained there.

20       SEC. 5. That all citizens of Porto Rico, as defined  
21 by section seven of the Act of April twelfth, nineteen  
22 hundred, "temporarily to provide revenues and a civil  
23 government for Porto Rico, and for other purposes." and  
24 all natives of Porto Rico who were temporarily absent from  
25 that island on April eleventh, eighteen hundred and ninety-

1 nine, and have since returned and are permanently resid-  
2 ing in that island, and are not citizens of any foreign  
3 country, are hereby declared, and shall be deemed and held  
4 to be, citizens of the United States: *Provided*, That any  
5 person hereinbefore described may retain his present politi-  
6 cal status by making a declaration, under oath, of his  
7 decision to do so within six months of the taking effect  
8 of this Act before the district court in the district in  
9 which he resides, the declaration to be in form as follows:

10 " I, \_\_\_\_\_, being duly sworn, hereby declare my  
11 intention not to become a citizen of the United States as  
12 provided in the Act of Congress conferring United States  
13 citizenship upon citizens of Porto Rico and certain natives  
14 permanently residing in said island."

15 In the case of any such person who may be absent  
16 from the island during said six months the term of this  
17 proviso may be availed of by transmitting a declaration,  
18 under oath, in the form herein provided within six months  
19 of the taking effect of this Act to the secretary of Porto  
20 Rico.

21 SEC. 6. That the laws and ordinances of Porto Rico  
22 now in force shall continue in force and effect, except as  
23 altered, amended, or modified herein, until altered, amended,  
24 or repealed by the legislative authority herein provided for  
25 Porto Rico or by Act of Congress of the United States.

1        SEC. 7. That all expenses that may be incurred on  
2 account of the government of Porto Rico for salaries of  
3 officials and the conduct of their offices and departments,  
4 and all expenses and obligations contracted for the internal  
5 improvement or development of the island, not, however,  
6 including defenses, barracks, harbors, lighthouses, buoys,  
7 and other works undertaken by the United States, shall,  
8 except as otherwise specifically provided by the Congress,  
9 be paid by the treasurer of Porto Rico out of the revenue  
10 in his custody.

11        SEC. 8. That all property which may have been ac-  
12 quired in Porto Rico by the United States under the cession  
13 of Spain in the treaty of peace entered into on the tenth  
14 day of December, eighteen hundred and ninety-eight, in  
15 any public bridges, road houses, water powers, highways,  
16 unnavigable streams and the beds thereof, subterranean  
17 waters, mines or minerals under the surface of private  
18 lands, all property which at the time of the cession belonged,  
19 under the laws of Spain then in force, to the various harbor  
20 works boards of Porto Rico, all the harbor shores, docks,  
21 slips, reclaimed lands, and all public lands and buildings  
22 not heretofore reserved by the United States for public  
23 purposes, is hereby placed under the control of the gov-  
24 ernment of Porto Rico, to be administered for the benefit  
25 of the people of Porto Rico; and the Legislature of Porto

1 Rico shall have authority, subject to the limitations imposed  
2 upon all its acts, to legislate with respect to all such matters  
3 as it may deem advisable: *Provided*, That the President  
4 may from time to time, in his discretion, convey to the  
5 people of Porto Rico such lands and buildings or interests  
6 therein reserved for public purposes under the authority  
7 conferred by the Act approved July 1, 1902, as in his  
8 opinion are no longer needed for purposes of the United  
9 States. And he may from time to time accept from the  
10 people of Porto Rico any lands, buildings, or interests therein  
11 which may be needed for public purposes by the United  
12 States and which the Legislature of Porto Rico may grant  
13 to the United States.

14 SEC. 9. That the harbor areas and navigable streams  
15 and bodies of water and submerged lands underlying the  
16 same in and around the island of Porto Rico and the adjacent  
17 islands and waters, now owned by the United States and not  
18 reserved by the United States for public purposes, be, and  
19 the same are hereby, placed under the control of the govern-  
20 ment of Porto Rico to be administered in the same manner  
21 and subject to the same limitations as the property enumer-  
22 ated in the preceding section: *Provided*, That all laws of the  
23 United States for the protection and improvement of the  
24 navigable waters of the United States and the preservation  
25 of the interest of navigation and commerce, except so far as



1 the same may be locally inapplicable, shall apply to said  
2 island and waters and to its adjacent islands and waters:  
3 *Provided further.* That nothing in this Act contained shall be  
4 construed so as to affect or impair in any manner the terms  
5 or conditions of any authorizations, permits, or other powers  
6 heretofore lawfully granted or exercised in or in respect of  
7 said waters and submerged lands in and surrounding said  
8 island and its adjacent islands by the Secretary of War or  
9 other authorized officer or agent of the United States: *And*  
10 *provided further.* That the Act of Congress approved June  
11 eleventh, nineteen hundred and six, entitled "An Act to  
12 empower the Secretary of War, under certain restrictions, to  
13 authorize the construction, extension, and maintenance of  
14 wharves, piers, and other structures on lands underlying har-  
15 bor areas in navigable streams and bodies of water in or  
16 surrounding Porto Rico and the islands adjacent thereto," and  
17 all other laws and parts of laws in conflict with this Act be,  
18 and the same are, hereby repealed.

19       SEC. 10. That the statutory laws of the United States  
20 hereafter enacted shall not apply to Porto Rico except  
21 when they specifically so provide or it is so provided in  
22 this Act.

23       SEC. 11. That the legislative authority herein provided  
24 shall have power, when not inconsistent with this Act, by

1 due enactment to amend, alter, modify, or repeal any law or  
2 ordinance, civil or criminal, continued in force by this Act  
3 as it may from time to time see fit.

4       SEC. 12. That all judicial process shall run in the name  
5 of "United States of America, ss, the President of the United  
6 States," and all penal or criminal prosecutions in the local  
7 courts shall be conducted in the name and by the authority  
8 of "The People of Porto Rico"; and all officials authorized  
9 by this Act shall, before entering upon the duties of their  
10 respective offices, take an oath to support the Constitution  
11 of the United States and the laws of Porto Rico.

12       SEC. 13. That all reports required by law to be made  
13 by the governor or heads of departments to any official in  
14 the United States shall hereafter be made to the Secretary of  
15 War, under whom is placed all matters pertaining to the  
16 government of Porto Rico.

17       SEC. 14. That the supreme executive power shall be  
18 vested in an executive officer, whose official title shall be  
19 "the Governor of Porto Rico." He shall be appointed by  
20 the President, by and with the advice and consent of the  
21 Senate, and hold his office at the pleasure of the President  
22 and until his successor is chosen and qualified. The gov-  
23 ernor shall reside in Porto Rico during his official incum-  
24 bency, and maintain his office at the seat of government.  
25 He shall have general supervision and control of all of the

1 departments and bureaus of the government in Porto Rico  
2 so far as is not inconsistent with the provisions of this Act.  
3 and shall be commander in chief of the militia. He may  
4 grant pardons and reprieves, and remit fines and forfeitures  
5 for offenses against the laws of Porto Rico and respites for  
6 offenses against the laws of the United States until the de-  
7 cision of the President can be ascertained, and may veto any  
8 legislation enacted as hereinafter provided. He shall com-  
9 mission all officers that he may be authorized to appoint.  
10 He shall be responsible for the faithful execution of the laws  
11 of Porto Rico and of the United States applicable in Porto  
12 Rico, and whenever it becomes necessary he may call upon  
13 the commanders of the military and naval forces of the  
14 United States in the island, or summon the posse comitatus,  
15 or call out the militia to prevent or suppress lawless violence,  
16 invasion, insurrection, or rebellion; and he may, in case of  
17 rebellion or invasion or imminent danger thereof, when the  
18 public safety requires it, suspend the privilege of the writ  
19 of habeas corpus, or place the island, or any part thereof,  
20 under martial law until communication can be had with the  
21 President and his decision therein made known. He shall  
22 annually and at such other times as he may be required make  
23 official report of the transactions of the Government of Porto  
24 Rico to the Secretary of War, and his said annual report shall  
25 be transmitted to Congress, and he shall perform such addi-

1 tional duties and functions as may in pursuance of law be  
2 delegated to him by the President.

3       SEC. 15. That the following executive departments are  
4 hereby created: A department of justice, the head of which  
5 shall be designated as the attorney general; a department of  
6 finance, the head of which shall be designated as the treas-  
7 urer; a department of interior, the head of which shall be  
8 designated as the commissioner of the interior; a depart-  
9 ment of education, the head of which shall be designated as  
10 the commissioner of education; a department of agriculture  
11 and labor, the head of which shall be designated as the  
12 commissioner of agriculture and labor; and a department  
13 of health, the head of which shall be designated as the  
14 commissioner of health. The heads of two of these depart-  
15 ments shall be appointed by the President, by and with the  
16 advice and consent of the Senate of the United States, to  
17 hold office for four years and until their successors are ap-  
18 pointed and qualified, unless sooner removed by the Presi-  
19 dent. The heads of the four remaining departments shall  
20 be appointed by the governor, by and with the advice and  
21 consent of the Senate of Porto Rico. The heads of depart-  
22 ments appointed by the governor may be selected from the  
23 elected members of the senate and house of representatives,  
24 and in such case shall hold office for the term of their elec-  
25 tion to the legislature, unless sooner removed by the gov-

1 error or vacating their seats in the legislature. If such heads  
2 of departments are not selected from members of the legis-  
3 lature, they shall hold office during the life of the existing  
4 legislature, unless sooner removed by the governor.

5 Heads of departments shall reside in Porto Rico during  
6 their official incumbency.

7 The heads of departments shall collectively form a coun-  
8 cil to the governor, known as the executive council. They  
9 shall perform under the general supervision of the governor  
10 the duties hereinafter prescribed, or which may hereafter  
11 be prescribed by law, and such other duties, not inconsis-  
12 tent with law, as the governor, with the approval of the  
13 President, may assign to them; and they shall make annual  
14 and such other reports to the governor as he may require,  
15 which shall be transmitted to the Secretary of War.

16 SEC. 16. That the attorney general shall have general  
17 charge of the administration of justice in Porto Rico. He  
18 shall be the legal adviser of the governor and the heads of  
19 departments and shall appear for the people of Porto Rico  
20 and prosecute and defend all actions and proceedings, civil  
21 or criminal, in the supreme court of Porto Rico, in which  
22 the people of Porto Rico shall be interested or a party, and  
23 may, if in his judgment the public interest requires, appear  
24 for the people of Porto Rico and prosecute or defend in any  
25 other court, or before any officer, in any cause, civil or crimi-

1 nal, in which the people of Porto Rico may be a party or  
2 interested.

3 SEC. 17. That the treasurer shall give bond, approved  
4 as to form by the attorney general of Porto Rico, in such  
5 sum as the legislature may require, not less, however,  
6 than the sum of \$125,000, with surety approved by the  
7 governor, and he shall collect and be the custodian of  
8 public funds, and shall disburse the same when appropri-  
9 ated by law, on warrants signed by the auditor and coun-  
10 tersigned by the governor, and perform such other duties  
11 as may be provided by law. He may designate banking  
12 institutions in Porto Rico and the United States as de-  
13 positories of the government of Porto Rico, subject to such  
14 conditions as may be prescribed by the governor, after  
15 they have filed with him satisfactory evidence of their  
16 sound financial condition and have deposited bonds of the  
17 United States or of the government of Porto Rico or other  
18 security satisfactory to the governor in such amounts as  
19 may be indicated by him; and no banking institution shall  
20 be designated a depository of the government of Porto  
21 Rico until the foregoing conditions have been complied  
22 with nor used as a depository except in the discretion of  
23 the treasurer of Porto Rico.

24 SEC. 18. That the commissioner of the interior shall  
25 superintend all works of a public nature, have charge of

1 all public buildings, grounds, and lands, except those be-  
2 longing to the United States, and shall execute such re-  
3 quirements as may be imposed by law with respect thereto,  
4 and perform such other duties as may be prescribed by law.

5       SEC. 19. That the commissioner of education shall  
6 superintend public instruction throughout Porto Rico, and  
7 all disbursements on account thereof must be approved  
8 by him, and he shall perform such other duties as may be  
9 prescribed by law.

10       SEC. 20. That the commissioner of agriculture and  
11 labor shall have general charge of such bureaus and branches  
12 of government as shall be legally constituted for the study,  
13 advancement, and benefit of agricultural and other industries  
14 and of labor, and shall perform such other duties as may be  
15 prescribed by law.

16       SEC. 21. That the commissioner of health shall have  
17 general charge of all matters relating to public health, sani-  
18 tation, and charities, and shall perform such other duties as  
19 may be prescribed by law.

20       SEC. 22. That there shall be appointed by the Presi-  
21 dent an auditor at an annual salary of \$7,500, who shall  
22 examine, audit, and settle all accounts pertaining to the reve-  
23 nues and receipts from whatever source of the government  
24 of Porto Rico and of the municipal governments of Porto  
25 Rico, including trust funds and funds derived from bond

1 issues: and audit, in accordance with law and administrative  
2 regulations, all expenditures of funds or property pertaining  
3 to or held in trust by the government of Porto Rico or the  
4 municipalities thereof. He shall perform a like duty with  
5 respect to all government branches.

6 He shall keep the general accounts of the government  
7 and preserve the vouchers pertaining thereto.

8 It shall be the duty of the auditor to bring to the atten-  
9 tion of the proper administrative officer expenditures of funds  
10 or property which, in his opinion, are irregular, unnecessary,  
11 excessive, or extravagant.

12 There shall be a deputy auditor appointed in the same  
13 manner as the auditor, at an annual salary of \$4,000. The  
14 deputy auditor shall sign such official papers as the auditor  
15 may designate and perform such other duties as the auditor  
16 may prescribe, and in case of the death, resignation, sickness,  
17 or other absence of the auditor from his office, from any  
18 cause, the deputy auditor shall have charge of such office.  
19 In case of the absence from duty, from any cause, of both the  
20 auditor and the deputy auditor, the Governor of Porto Rico  
21 may designate an assistant, who shall have charge of the  
22 office.

23 The jurisdiction of the auditor over accounts, whether  
24 of funds or property, and all vouchers and records pertaining  
25 thereto, shall be exclusive. With the approval of the gov-



1 ernor, he shall from time to time make and promulgate gen-  
2 eral or special rules and regulations not inconsistent with law  
3 covering the methods of accounting for public funds and  
4 property, and funds and property held in trust by the gov-  
5 ernment or any of its branches: *Provided*, That any officer  
6 accountable for public funds or property may require such  
7 additional reports or returns from his subordinates or others  
8 as he may deem necessary for his own information and  
9 protection.

10       The decisions of the auditor shall be final and conclusive  
11 upon the executive branches of the government, except that  
12 appeal therefrom may be taken by the party aggrieved  
13 or the head of the department concerned within one year,  
14 in the manner hereinafter prescribed. The auditor shall,  
15 except as hereinafter provided, have like authority as that  
16 conferred by law upon the several auditors of the United  
17 States and the Comptroller of the United States Treasury  
18 and is authorized to communicate directly with any person  
19 having claims before him for settlement, or with any depart-  
20 ment, officer, or person having official relations with his  
21 office.

22       As soon after the close of each fiscal year as the  
23 accounts of said year may be examined and adjusted, the  
24 auditor shall submit to the governor an annual report of the

1 fiscal concerns of the government, showing the receipts and  
2 disbursements of the various departments and bureaus of  
3 the government and of the various municipalities, and  
4 make such other reports as may be required of him by the  
5 governor or the Secretary of War.

6 In the execution of their duties the auditor and the  
7 deputy auditor are authorized to summon witnesses, ad-  
8 minister oaths, and to take evidence, and, in the pursuance  
9 of these provisions, may issue subpoenas and enforce the  
10 attendance of witnesses.

11 The office of the auditor shall be under the general  
12 supervision of the governor and shall consist of the auditor  
13 and deputy auditor and such necessary assistants as may  
14 be prescribed by law.

15 SEC. 23. That any person aggrieved by the action or  
16 decision of the auditor in the settlement of his account or  
17 claim may, within one year, take an appeal in writing to  
18 the governor, which appeal shall specifically set forth the  
19 particular action of the auditor to which exception is taken,  
20 with the reason and authorities relied on for reversing such  
21 decision. The decision of the governor in such case shall be  
22 final and conclusive.

23 SEC. 24. That there shall be appointed by the gov-  
24 ernor, by and with the advice and consent of the senate of  
25 Porto Rico, an executive secretary at an annual salary of

1 \$4,000, who shall record and preserve the minutes and pro-  
2 ceedings of the public service commission hereinafter pro-  
3 vided for and the laws enacted by the legislature and all  
4 acts and proceedings of the governor, and promulgate all  
5 proclamations and orders of the governor and all laws enacted  
6 by the legislature, and perform such other duties as may be  
7 assigned to him by the governor of Porto Rico. Any duties  
8 heretofore assigned to the secretary of Porto Rico by existing  
9 law may be assigned to the executive secretary herein pro-  
10 vided for or to any other department or bureau of the Gov-  
11 ernment as may be determined by the governor.

12       SEC. 25. That the Governor of Porto Rico, within sixty  
13 days after the end of each session of the legislature, shall  
14 transmit to the Secretary of War, who shall in turn transmit  
15 the same to the Congress of the United States, copies of all  
16 laws enacted during the session.

17       SEC. 26. That the President may from time to time  
18 designate the head of an executive department of Porto Rico  
19 to act as governor in the case of a vacancy, the temporary  
20 removal, resignation, or disability of the governor, or his  
21 temporary absence, and the head of the department thus des-  
22 ignated shall exercise all the powers and perform all the  
23 duties of the governor during such vacancy, disability, or  
24 absence.

1        SEC. 27. That all local legislative powers in Porto  
2 Rico, except as herein otherwise provided, shall be vested in  
3 a legislature which shall consist of two houses, one the senate  
4 and the other the house of representatives, and the two  
5 houses shall be designated "the Legislature of Porto Rico."

6        SEC. 28. That the senate of Porto Rico shall consist of  
7 such heads of executive departments as are not members of  
8 the house of representatives and nineteen members elected  
9 for terms of four years by the qualified electors of Porto Rico.  
10 Each of the seven senatorial districts defined as hereinafter  
11 provided shall have the right to elect two senators, and in  
12 addition thereto there shall be elected five senators at large.  
13 No person shall be an elective member of the senate of Porto  
14 Rico who is not over thirty years of age, and who is not able  
15 to read and write either the Spanish or English language, and  
16 who has not been a resident of Porto Rico for at least two  
17 consecutive years, and, except in the case of senators at large,  
18 an actual resident of the senatorial district from which chosen  
19 for a period of at least one year prior to his election, and who  
20 does not own in his individual right taxable property in  
21 Porto Rico to the value of not less than \$5,000. Except as  
22 herein otherwise provided, the senate of Porto Rico shall  
23 exercise all of the purely legislative powers and functions  
24 heretofore exercised by the executive council, including con-  
25 firmation of appointments; but appointments made while the

1 senate is not in session shall be effective either until disap-  
2 proved or until the next adjournment of the senate. In  
3 electing the five senators at large each elector shall be per-  
4 mitted to vote for but one candidate, and the five candidates  
5 receiving the largest number of votes shall be elected.

6       SEC. 29. That the House of Representatives of Porto  
7 Rico shall consist of thirty-nine members elected quadren-  
8 nially by the qualified electors of Porto Rico, as hereinafter  
9 provided. Each of the representative districts hereinafter  
10 provided for shall have the right to elect one representative,  
11 and in addition thereto there shall be elected four repre-  
12 sentatives at large. No person shall be a member of the  
13 house of representatives who is not over twenty-five years  
14 of age, and who is not able to read and write either the  
15 Spanish or English language, and who does not own in his  
16 individual right taxable property, real or personal, situated  
17 in Porto Rico, and except in the case of representative at  
18 large, who has not been a bona fide resident of the district  
19 from which elected for at least one year prior to his election.  
20 In electing the four representatives at large, each elector  
21 shall be permitted to vote for but one candidate, and the  
22 four candidates receiving the largest number of votes shall  
23 be elected.

24       SEC. 30. That for the purpose of elections hereafter  
25 to the legislature the island of Porto Rico shall be divided

1 into thirty-five representative districts, composed of con-  
2 tiguous and compact territory and established, so far as prac-  
3 ticable, upon the basis of equal population. The division  
4 into and the demarcation of electoral districts shall be made  
5 by a commission of three persons to be appointed by the  
6 governor, one member of which shall be chosen by him from  
7 each of the two political parties casting the highest number  
8 of votes at the last general election, and the third member of  
9 which shall be chosen at his discretion. Division of districts  
10 shall be made as nearly as practicable to conform to the  
11 topographical nature of the land, with regard to roads and  
12 other means of communication, and to natural barriers.  
13 Said commission shall also divide the island of Porto Rico  
14 into seven senatorial districts, each composed of five con-  
15 tiguous and compact representative districts. They shall  
16 make their report within thirty days after the approval of  
17 this Act, which report, when approved by the governor, shall  
18 be final.

19       SEC. 31. That the next election in Porto Rico shall be  
20 held at the time and in the manner now provided by law,  
21 and that there shall be chosen then senators and representa-  
22 tives as herein provided. Thereafter elections shall be held  
23 only on such days and under such regulations as to ballots  
24 and voting as may be prescribed by the Legislature of  
25 Porto Rico.

1        SEC. 32. That the terms of office of elective senators  
2 and representatives shall be four years from the first of  
3 January following their election. In case of vacancy among  
4 the elective members of the senate or in the house of rep-  
5 resentatives, special elections may be held in the districts  
6 wherein such vacancy occurred under such regulations as  
7 may be prescribed by law, but senators or representatives  
8 elected in such cases shall hold office only for the unex-  
9 pired portion of the term wherein the vacancy occurred.

10        SEC. 33. That members of the senate and house of  
11 representatives of Porto Rico shall receive compensation at  
12 the rate of \$7 per day while in session, and mileage at the  
13 rate of 20 cents per kilometer for each kilometer actually  
14 and necessarily traveled in going from their legislative dis-  
15 tricts to the capital and therefrom to their places of resi-  
16 dence in their districts by the usual routes of travel: *Pro-*  
17 *vided*, That members appointed heads of executive depart-  
18 ments shall receive only the salaries provided for such  
19 executive offices.

20        SEC. 34. That the senate and house of representatives,  
21 respectively, shall be the sole judges of the elections, returns,  
22 and qualifications of their members, and they shall have  
23 and exercise all the powers with respect to the conduct of  
24 their proceedings that usually pertain to parliamentary leg-  
25 islative bodies. Both houses shall convene at the capital

1 on the second Monday in January following the next elec-  
2 tion and organize by the election of a speaker or a pre-  
3 siding officer, a clerk, and a sergeant at arms for each house,  
4 and such other officers and assistants as may be required.

5       SEC. 35. That the first regular session of the Legis-  
6 lature of Porto Rico provided for by this Act shall convene  
7 on the second Monday in January, nineteen hundred and  
8 fifteen, and biennially thereafter; but no regular session shall  
9 continue longer than ninety days, not including Sundays,  
10 holidays, or days during which both houses may by con-  
11 current resolution have agreed to a recess. The governor  
12 may call special sessions of the legislature or of the senate  
13 at any time when in his opinion the public interest may  
14 require it, and shall call the senate in session at least once  
15 each year, but no special session shall continue longer than  
16 ten days and no legislation shall be considered at such session  
17 other than that specified in the call.

18       SEC. 36. That the enacting clause of the laws shall  
19 be as to acts, "Be it enacted by the Legislature of Porto  
20 Rico," and as to joint resolutions, "Be it resolved by the  
21 Legislature of Porto Rico." All bills and joint resolutions  
22 may originate in either house. The general appropriation  
23 bill may be prepared by the governor and shall be intro-  
24 duced as prepared or approved by him within the first  
25 ten days of the session of the legislature, but shall be sub-



1 ject to amendment, as in the case of any other bill. No bill  
2 shall become a law until it be passed in each house by a  
3 majority vote of all of the members belonging to such house  
4 and be approved by the governor within ten days there-  
5 after. If when a bill that has been passed is presented  
6 to the governor for his signature he approves the same, he  
7 shall sign it, or if not, he shall return it, with his objections,  
8 to that house in which it originated, which house shall  
9 enter his objections at large on its journal. If any bill  
10 presented to the governor contains several items of appro-  
11 priation of money, he may object to one or more of such  
12 items while approving of the other portion of the bill. In  
13 such case he shall append to the bill, at the time of signing  
14 it, a statement of the items to which he objects; and the  
15 appropriation so objected to shall not take effect. If any  
16 bill shall not be returned by the governor within ten days  
17 (Sundays excepted) after it shall have been presented  
18 to him, it shall be a law in like manner as if he had signed  
19 it, unless the legislature by adjournment prevents its re-  
20 turn, in which case it shall be a law as if signed by the  
21 governor within ten days after receipt by him: otherwise  
22 it shall not be a law. If the governor, within the period in  
23 which he may disapprove, advises that he has withheld  
24 action pending advice from the President, he may approve

1 or disapprove an act at any time within thirty days after  
2 it has been presented to him. All laws enacted by the  
3 Legislature of Porto Rico shall be reported to the Congress  
4 of the United States, which hereby reserves the power and  
5 authority to annul the same. If at the termination of any  
6 fiscal year the appropriations necessary for the support of  
7 government for the ensuing fiscal year shall not have been  
8 made, the several sums appropriated in the last appropria-  
9 tion bills for the purposes to be expended for the objects  
10 and purposes therein specified, so far as the same may be  
11 done, shall be deemed to be reappropriated; and until the  
12 legislature shall act in such behalf the treasurer may, with  
13 the advice of the governor, make the payments necessary  
14 for the purposes aforesaid.

15       SEC. 37. That the qualified electors of Porto Rico,  
16 after the general election for nineteen hundred and fourteen,  
17 and for any election whatsoever, shall consist of those citi-  
18 zens already registered as voters under the laws of Porto  
19 Rico, and of those that will be thereafter registered in ac-  
20 cordance with the terms of this Act and of the laws of  
21 Porto Rico. That after the approval of this Act no person  
22 shall be allowed to register as a voter in Porto Rico who is  
23 not a citizen of the United States or of Porto Rico, over  
24 twenty-one years of age, and who is not able to read and  
25 write, or on the date of registration shall not own taxable

1 real estate in his own right or name, either personally or as  
2 a bona fide member of a firm of copartnership.

3       SEC. 38. That the qualified electors of Porto Rico  
4 shall, at the general election in nineteen hundred and four-  
5 teen, and every four years thereafter, choose a resident  
6 commissioner to the United States, whose term of office shall  
7 be four years from the fourth of March following, and  
8 who shall be entitled to receive official recognition as such  
9 commissioner by all of the departments of the Govern-  
10 ment of the United States, upon presentation, through  
11 the Department of State, of a certificate of election of the  
12 Governor of Porto Rico. The Resident Commissioner  
13 shall receive a salary, payable monthly by the United States,  
14 of \$7,500 per annum. Such commissioner shall be allowed  
15 the same sum for stationery and for the pay of necessary  
16 clerk hire as is now allowed to Members of the House of  
17 Representatives of the United States; the sum of \$500 as  
18 mileage for each session of the House of Representatives,  
19 and the franking privilege now enjoyed by Members of the  
20 House of Representatives. No person shall be eligible to  
21 election as Resident Commissioner who is not a bona fide  
22 citizen of Porto Rico and who is not more than thirty years  
23 of age, and who does not read and write the English  
24 language.

1       SEC. 39. That the legislative authority herein provided  
2 shall extend to all matters of a legislative character not  
3 locally inapplicable, including power to create, consolidate,  
4 and reorganize the municipalities so far as may be necessary,  
5 and to provide and repeal laws and ordinances therefor; also  
6 the power to alter, amend, modify, and repeal any and all  
7 laws and ordinances of every character now in force in Porto  
8 Rico or any municipality or district thereof not inconsistent  
9 with the provisions of this Act.

10       No executive department not provided for in this Act  
11 shall be created, but the legislature may, from time to time,  
12 create additional bureaus in any of the departments created  
13 or authorized hereby, and each additional bureau so created  
14 shall be subject to the supervision and control of the head of  
15 the executive department in which it is established.

16       SEC. 40. That all grants of franchises, rights, and privi-  
17 leges or concessions of a public or quasi public nature shall  
18 be made by a public-service commission, consisting of the  
19 Executive Council and the auditor. The said commission is  
20 also empowered and directed to discharge all the executive  
21 functions heretofore conferred by law upon the Executive  
22 Council provided by the Act of April twelfth, nineteen  
23 hundred, not inconsistent with the provisions of this  
24 Act, including the powers and duties prescribed by  
25 an act of the Legislative Assembly of Porto Rico en-

1 titled "An act concerning the regulation of public-  
2 service corporations in Porto Rico." approved March  
3 twelfth, nineteen hundred and eight. and all amendments  
4 which may be or have been made thereto by the Legislature  
5 of Porto Rico and including all the powers and duties hereto-  
6 fore exercised by the Executive Council with regard to all  
7 municipal loans and bonds and advancements of insular funds  
8 to municipalities and school boards: and all franchises, rights,  
9 and privileges or concessions granted by the said commission  
10 shall not be effective until approved by the governor, and  
11 shall be reported to Congress. which hereby reserves the  
12 power to annul or modify the same. Whenever the legisla-  
13 ture shall have authorized the borrowing of money or the  
14 creation of any indebtedness by the insular government, the  
15 commission may, within the authorization of the legislature,  
16 prescribe the terms of all notes, bonds, or other instruments  
17 to be issued as evidences of said indebtedness. and the price or  
18 prices for which they shall be sold or disposed of. When  
19 the action of the commission in that regard shall have been  
20 approved by the governor, the treasurer shall dispose of such  
21 securities in pursuance thereof and turn the proceeds into the  
22 public treasury.

23       SEC. 41. That all grants of franchises, privileges, and  
24 concessions under the section last preceding shall provide  
25 that the same shall be subject to amendment, alteration,

1 or repeal, and shall forbid the issue of stocks or bonds, ex-  
2 cept in exchange for actual cash or property at a fair valu-  
3 ation equal in amount to the par value of the stocks or  
4 bonds issued, and shall forbid the declaring of stock or bond  
5 dividends, and in the case of public-service corporations,  
6 shall provide for the effective regulation of charges thereof,  
7 and for the purchase or taking of their property by the  
8 authorities at a fair and reasonable valuation.

9       SEC. 42. That the laws of the United States relating to  
10 immigration, to tariffs, customs, and duties on importations  
11 into the United States and the regulations made pursuant  
12 thereto shall apply in Porto Rico, but the execution of such  
13 laws and regulations shall be effected through officials of  
14 Porto Rico appointed by the Governor of Porto Rico, and  
15 appeal from the decision of such officials shall be to the courts  
16 of Porto Rico as shall be provided by the legislature.

17       SEC. 43. That the judicial power shall be vested in  
18 the courts and tribunals of Porto Rico now established and  
19 in operation under and by virtue of existing laws. The  
20 jurisdiction of said courts and the form of procedure in  
21 them, and the various officers and attachés thereof, shall  
22 also continue to be as now provided until otherwise provided  
23 by law: *Provided, however,* That the chief justice and asso-  
24 ciate justices of the supreme court shall be appointed by  
25 the President, by and with the advice and consent of the

1 Senate, and the Legislature of Porto Rico shall have author-  
2 ity, from time to time as it may see fit, not inconsistent  
3 with this Act, to organize, modify, or rearrange the courts  
4 and their jurisdiction and procedure, except the District  
5 Court of the United States for Porto Rico.

6       SEC. 44. That Rorto Rico shall constitute a judicial  
7 district to be called "the district of Porto Rico." The  
8 President, by and with the advice and consent of the Sen-  
9 ate, shall appoint one district judge who shall as to pay,  
10 tenure, retirement, and allowances be on the same footing  
11 as other United States district judges. There shall be  
12 appointed in like manner a district attorney and a mar-  
13 shal for said district, each for a term of four years unless  
14 sooner removed by the President. The district court for  
15 said district shall be called "the district court of the United  
16 States for Porto Rico," and shall have power to appoint  
17 all necessary officials and assistauts, including the clerk,  
18 interpreter, and such commissioners as may be necessary,  
19 who shall be entitled to the same fees and have like powers  
20 and duties as are exercised and performed by United  
21 States commissioners. Such court shall have jurisdiction  
22 of all cases cognizable in the district and circuit courts of  
23 the United States, and shall proceed in the same manner;  
24 and in addition shall have jurisdiction for the naturalization  
25 of aliens, and shall have jurisdiction of all controversies

1 where all of the parties on either side of the controversy  
2 are citizens or subjects of a foreign State or States, or citi-  
3 zens of the United States or a State, Territory, or District  
4 thereof, or territory under the jurisdiction thereof whose  
5 domicile is not in Porto Rico, wherein the matter in dis-  
6 pute exceeds, exclusive of interest or cost, the sum or value  
7 of \$2,000, and of all controversies in which there is a sep-  
8 arable controversy involving such jurisdictional amount, and  
9 in which all of the parties on either side of such separable  
10 controversy are citizens or subjects of the character afore-  
11 said: *Provided*, That nothing in this Act shall be deemed  
12 to impair the jurisdiction of the "district court of the  
13 United States for Porto Rico" to hear and determine all  
14 controversies pending in said court at the date of the ap-  
15 proval of this Act: *Provided further*, That hereafter the  
16 salaries of the judge and officials of the district court of  
17 the United States for Porto Rico, together with the court  
18 expenses, shall be paid from the United States revenues in  
19 the same manner as in other United States district courts.  
20 In case of vacancy or of the death, absence, or other legal  
21 disability on the part of the judge of the said "the dis-  
22 trict court of the United States for Porto Rico," the Gov-  
23 ernor of Porto Rico is authorized to designate one of the  
24 judges of the Supreme Court of Porto Rico to discharge  
25 the duties of judge of said court until such absence or disa-



1 bility shall be removed, and thereupon such judge so des-  
2 igned for said service shall be fully authorized and em-  
3 powered to perform the duties of said office during such  
4 absence or disability of such regular judge, and to sign all  
5 necessary papers and records as the acting judge of said court,  
6 without extra compensation.

7       SEC. 45. That the laws of the United States relating  
8 to appeals, writs of error, and certiorari, removal of causes,  
9 and other matters of proceedings as between the courts of  
10 the United States and the courts of the several States,  
11 shall govern in such matters and proceedings as between  
12 the district court of the United States and the courts of  
13 Porto Rico. Regular terms of said court shall be held  
14 at San Juan, commencing on the second Monday in April  
15 and October of each year, and also at Ponce on the second  
16 Monday in January of each year, and special terms may be  
17 held at Mayaguez at such other stated times as said judge  
18 may deem expedient. All pleadings and proceedings in said  
19 court shall be conducted in the English language. The  
20 said district court shall be attached to and included in  
21 the third circuit of the United States, with the right of ap-  
22 peal and review by said circuit court of appeals in all cases  
23 where the same would lie from any district or circuit court  
24 to a circuit court of appeals of the United States.

1        SEC. 46. That writs of error and appeals from the  
2 final decisions of the Supreme Court of Porto Rico and  
3 the District Court of the United States for Porto Rico  
4 shall be allowed, and may be taken to the Supreme Court  
5 of the United States in the same manner and under the same  
6 regulations and in the same cases as from the supreme  
7 courts of Territories of the United States and from the circuit  
8 and district courts of the United States, respectively, and  
9 such writs of error and appeal shall be allowed in all cases  
10 where the Constitution of the United States, or a treaty  
11 thereof, or an Act of Congress, is brought in question and  
12 the right claimed thereunder is denied. All such pro-  
13 ceedings in the Supreme Court of the United States shall  
14 be conducted in the English language.

15        SEC. 47. That the qualifications of jurors as fixed by  
16 the local laws of Porto Rico shall not apply to jurors selected  
17 to serve in the District Court of the United States for Porto  
18 Rico; but the qualifications required of jurors in said court  
19 shall be that each shall be of the age of twenty-one years,  
20 and not over sixty-five years, a resident of Porto Rico for  
21 not less than one year, and have a sufficient knowledge of  
22 the English language to enable him to serve as a juror; they  
23 shall also be citizens of the United States. Juries for the  
24 said court shall be selected and drawn in accordance with  
25 the laws of Congress regulating the same in United States

1 courts, but exemption from jury duty allowed by the local  
2 laws shall be respected by the court when insisted upon by  
3 venirement.

4 SEC. 48. That all such fees, fines, costs, and forfeitures  
5 as would be deposited to the credit of the United States if  
6 collected and paid into a district court of the United States  
7 shall become revenues of the United States if collected and  
8 paid into the District Court of the United States for Porto  
9 Rico.

10 SEC. 49. That the Attorney General of the United  
11 States shall from time to time determine the salaries of all  
12 officials and assistants appointed by the United States Dis-  
13 trict Court, including the clerk, his deputies, interpreter,  
14 stenographer, and other officials and employees, the same  
15 to be paid by the United States as other salaries and ex-  
16 penses of like character in United States courts.

17 SEC. 50. That jurors and witnesses in the District  
18 Court of the United States for Porto Rico shall be entitled  
19 to and receive 15 cents for each mile necessarily traveled  
20 over any stage line or by private conveyance and 10 cents  
21 for each mile over any railway in going to and returning  
22 from said courts. But no constructive or double mileage  
23 fees shall be allowed by reason of any person being sum-  
24 moned both as witness and juror, or as witness in two or  
25 more cases pending in the same court and triable at the

1 same term thereof. Such jurors shall be paid \$2 per day,  
2 and such witnesses \$1 per day, while in attendance upon  
3 the court.

4       SEC. 51. That the supreme and district courts of Porto  
5 Rico and the respective judges thereof may grant writs of  
6 habeas corpus in all cases in which the same are grantable  
7 by the judges of the district courts of the United States, and  
8 the district courts may grant writs of mandamus in all proper  
9 cases.

10       SEC. 52. That hereafter all judges, marshals, and sec-  
11 retaries of courts now established or that may hereafter be  
12 established in Porto Rico, and whose appointment by the  
13 President is not provided for by law, shall be appointed by  
14 the governor, by and with the advice and consent of the  
15 Senate of Porto Rico.

16       SEC. 53. That, except as in this Act otherwise pro-  
17 vided, the salaries of all the officials of Porto Rico not  
18 appointed by the President, including deputies, assistants,  
19 and other help, shall be such and be so paid out of the  
20 revenues of Porto Rico as shall from time to time be deter-  
21 mined by the Legislature of Porto Rico and approved by  
22 the governor; and if the legislature shall fail to make an  
23 appropriation for such salaries, the salaries so fixed shall  
24 be paid without the necessity of further appropriations there-  
25 for. The salaries of all officers and all expenses of the

1 offices of the various officials of Porto Rico appointed as  
2 herein provided by the President shall also be paid out of  
3 the revenues of Porto Rico, on warrant of the auditor,  
4 countersigned by the governor. The annual salaries of the  
5 following-named officials appointed by the President and so  
6 to be paid shall be: The governor, \$12,000; in addition  
7 thereto he shall be entitled to the occupancy of the buildings  
8 heretofore used by the chief executive of Porto Rico, with  
9 the furniture and effects therein, free of rental; heads of  
10 executive departments, \$7,500; chief justice of the supreme  
11 court, \$7,500; associate justices of the supreme court,  
12 \$6,500 each.

13 Where any officer whose salary is fixed by this Act is  
14 required to give a bond, the premium thereof shall be paid  
15 from the insular treasury.

16 SEC. 54. That the provisions of the foregoing section  
17 shall not apply to municipal officials; their salaries and the  
18 compensation of their deputies, assistants, and other help, as  
19 well as all other expenses incurred by the municipalities,  
20 shall be paid out of the municipal revenues in such manner as  
21 the legislature shall provide.

22 SEC. 55. That wherever in this Act officers of the gov-  
23 ernment are provided for under the same names as in the  
24 heretofore existing Acts of Congress affecting Porto Rico, the  
25 present incumbents of those offices shall continue in office in

1 accordance with the terms and at the salaries prescribed by  
2 this Act. The office of secretary of Porto Rico is hereby  
3 abolished. Authority is given to the respective appointing  
4 authorities to appoint and commission persons to fill the new  
5 offices created by this Act.

6       SEC. 56. That any bureau or office belonging to any of  
7 the regular departments of the government, or hereafter  
8 created, or not assigned, may be transferred or assigned to  
9 any department by the governor upon the approval of the  
10 President of the United States.

11       SEC. 57. That deeds and other instruments affecting  
12 land situate in the District of Columbia, or any other Terri-  
13 tory of the United States, may be acknowledged in Porto  
14 Rico before any notary public appointed therein by proper  
15 authority, or any officer therein who has ex officio the  
16 powers of a notary public: *Provided*, That the certificate  
17 by such notary shall be accompanied by the certificate of  
18 the executive secretary of Porto Rico to the effect that the  
19 notary taking such acknowledgment is in fact such notarial  
20 officer.

21       SEC. 58. That nothing in this Act shall be deemed to  
22 impair or interrupt the jurisdiction of existing courts over  
23 matters pending therein upon the approval of this Act,  
24 which jurisdiction is in all respects hereby continued, the  
25 purpose of this Act being to preserve the integrity of all

1 of said courts and their jurisdiction until otherwise pro-  
2 vided by law, except as in this Act otherwise specifically  
3 provided.

4       SEC. 59. That this Act shall take effect upon approval,  
5 but until its provisions shall severally become operative, as  
6 hereinbefore provided, the corresponding legislative and  
7 executive functions of the government in Porto Rico shall  
8 continue to be exercised and in full force and operation as  
9 now provided by law; and for the purpose of fulfilling its  
10 functions as the upper house of the legislative assembly  
11 and for action upon appointments by the governor and  
12 for all other necessary purposes the Executive Council shall,  
13 until the assembly and organization of the Legislature of  
14 Porto Rico as herein provided, consist of the attorney gen-  
15 eral, the treasurer, the commissioner of the interior, the com-  
16 missioner of education, the commissioner of health, and  
17 the commissioner of agriculture and labor, and the five  
18 additional members as now provided by law. And any  
19 functions herein assigned to the senate of Porto Rico may,  
20 until this said senate has assembled and organized, as here-  
21 in provided, be exercised by the Executive Council as thus  
22 constituted.

23       SEC. 60. That all laws or parts of laws applicable to  
24 Porto Rico not in conflict with any of the provisions of this  
25 Act are hereby continued in force and effect.

63<sup>d</sup> CONGRESS, }  
2<sup>d</sup> Session.

H. R. 13818.

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# A BILL

To provide a civil government for Porto Rico,  
and for other purposes.

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By Mr. JONES.

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FEBRUARY 24, 1914.—Referred to the Committee on  
Insular Affairs and ordered to be printed.