

63D CONGRESS,
2D SESSION.

H. R. 14866.

IN THE HOUSE OF REPRESENTATIVES.

MARCH 20, 1914.

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

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 be bailable 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 exist.

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 eight hours shall constitute a day's work in all
11 cases of employment by and on behalf of the government
12 of the island.

13 That the employment of children under the age of
14 fourteen years in any occupation injurious to health or morals
15 or hazardous to life or limb is hereby prohibited.

16 That the right of action to recover damages for inju-
17 ries resulting in death shall never be abrogated.

18 SEC. 3. That no export duties shall be levied or col-
19 lected on exports from Porto Rico, but taxes and assess-
20 ments on property and license fees for franchises, privileges,
21 and concessions may be imposed for the purposes of the
22 insular and municipal governments, respectively, as may be
23 provided and defined by the Legislature of Porto Rico; and
24 when necessary to anticipate taxes and revenues, bonds, and
25 other obligations may be issued by Porto Rico or any

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

13 SEC. 4. That the capital of Porto Rico shall be at the
14 city of San Juan, and the seat of government shall be main-
15 tained there.

16 SEC. 5. That all citizens of Porto Rico, as defined
17 by section seven of the Act of April twelfth, nineteen
18 hundred, “temporarily to provide revenues and a civil
19 government for Porto Rico, and for other purposes,” and
20 all natives of Porto Rico who were temporarily absent from
21 that island on April eleventh, eighteen hundred and ninety-
22 nine, and have since returned and are permanently resid-
23 ing in that island, and are not citizens of any foreign
24 country, are hereby declared, and shall be deemed and held
25 to be, citizens of the United States: *Provided,* That any

1 person hereinbefore described may retain his present politi-
2 cal status by making a declaration, under oath, of his
3 decision to do so within six months of the taking effect
4 of this Act before the district court in the district in
5 which he resides, the declaration to be in form as follows:

6 “ I, , being duly sworn, hereby declare my
7 intention not to become a citizen of the United States as
8 provided in the Act of Congress conferring United States
9 citizenship upon citizens of Porto Rico and certain natives
10 permanently residing in said island.”

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

17 SEC. 6. That all expenses that may be incurred on
18 account of the government of Porto Rico for salaries of
19 officials and the conduct of their offices and departments,
20 and all expenses and obligations contracted for the internal
21 improvement or development of the island, not, however,
22 including defenses, barracks, harbors, lighthouses, buoys,
23 and other works undertaken by the United States, shall,
24 except as otherwise specifically provided by the Congress,

1 be paid by the treasurer of Porto Rico out of the revenue
2 in his custody.

3 .SEC. 7. That all property which may have been ac-
4 quired in Porto Rico by the United States under the cession
5 of Spain in the treaty of peace entered into on the tenth
6 day of December, eighteen hundred and ninety-eight, in
7 any public bridges, road houses, water powers, highways,
8 unnavigable streams and the beds thereof, subterranean
9 waters, mines or minerals under the surface of private
10 lands, all property which at the time of the cession belonged,
11 under the laws of Spain then in force, to the various harbor
12 works boards of Porto Rico, all the harbor shores, docks,
13 slips, reclaimed lands, and all public lands and buildings
14 not heretofore reserved by the United States for public
15 purposes, is hereby placed under the control of the gov-
16 ernment of Porto Rico, to be administered for the benefit
17 of the people of Porto Rico; and the Legislature of Porto
18 Rico shall have authority, subject to the limitations imposed
19 upon all its acts, to legislate with respect to all such matters
20 as it may deem advisable: *Provided*, That the President
21 may from time to time, in his discretion, convey to the
22 people of Porto Rico such lands, buildings, or interests in
23 lands or other property now owned by the United States
24 and within the territorial limits of Porto Rico as in his
25 opinion are no longer needed for purposes of the United

1 States. And he may from time to time accept by legislative
2 grant from Porto Rico any lands, buildings, or other in-
3 terests or property which may be needed for public purposes
4 by the United States.

5 SEC. 8. That the harbor areas and navigable streams
6 and bodies of water and submerged lands underlying the
7 same in and around the island of Porto Rico and the adjacent
8 islands and waters, now owned by the United States and not
9 reserved by the United States for public purposes, be, and
10 the same are hereby, placed under the control of the govern-
11 ment of Porto Rico to be administered in the same manner
12 and subject to the same limitations as the property enumer-
13 ated in the preceding section: *Provided*, That all laws of the
14 United States for the protection and improvement of the
15 navigable waters of the United States and the preservation
16 of the interest of navigation and commerce, except so far as
17 the same may be locally inapplicable, shall apply to said
18 island and waters and to its adjacent islands and waters:
19 *Provided further*, That nothing in this Act contained shall be
20 construed so as to affect or impair in any manner the terms
21 or conditions of any authorizations, permits, or other powers
22 heretofore lawfully granted or exercised in or in respect of
23 said waters and submerged lands in and surrounding said
24 island and its adjacent islands by the Secretary of War or
25 other authorized officer or agent of the United States: *And*

1 *provided further*, That the Act of Congress approved June
2 eleventh, nineteen hundred and six, entitled “An Act to
3 empower the Secretary of War, under certain restrictions, to
4 authorize the construction, extension, and maintenance of
5 wharves, piers, and other structures on lands underlying har-
6 bor areas and navigable streams and bodies of water in or
7 surrounding Porto Rico and the islands adjacent thereto,” and
8 all other laws and parts of laws in conflict with this Act be,
9 and the same are, hereby repealed.

10 SEC. 9. That the statutory laws of the United States
11 not locally inapplicable, except as hereinbefore or hereinafter
12 otherwise provided, shall have the same force and effect
13 in Porto Rico as in the United States, except the internal-
14 revenue laws.

15 SEC. 10. That all judicial process shall run in the name
16 of “United States of America, ss, the President of the United
17 States,” and all penal or criminal prosecutions in the local
18 courts shall be conducted in the name and by the authority
19 of “The People of Porto Rico”; and all officials authorized
20 by this Act shall, before entering upon the duties of their
21 respective offices, take an oath to support the Constitution
22 of the United States and the laws of Porto Rico.

23 SEC. 11. That all reports required by law to be made
24 by the governor or heads of departments to the United

1 States shall hereafter be made to an executive depart-
2 ment of the Government of the United States to be
3 designated by the President, and the President is hereby
4 authorized to place all matters pertaining to the government
5 of Porto Rico in the jurisdiction of such department.

6 SEC. 12. That the supreme executive power shall be
7 vested in an executive officer, whose official title shall be
8 “the Governor of Porto Rico.” He shall be appointed by
9 the President, by and with the advice and consent of the
10 Senate, and hold his office at the pleasure of the President
11 and until his successor is chosen and qualified. The gov-
12 ernor shall reside in Porto Rico during his official incum-
13 bency, and maintain his office at the seat of government.
14 He shall have general supervision and control of all of the
15 departments and bureaus of the government in Porto Rico
16 so far as is not inconsistent with the provisions of this Act,
17 and shall be commander in chief of the militia. He may
18 grant pardons and reprieves, and remit fines and forfeitures
19 for offenses against the laws of Porto Rico and respites for
20 offenses against the laws of the United States until the de-
21 cision of the President can be ascertained, and may veto any
22 legislation enacted as hereinafter provided. He shall com-
23 mission all officers that he may be authorized to appoint.
24 He shall be responsible for the faithful execution of the laws
25 of Porto Rico and of the United States applicable in Porto

1 Rico, and whenever it becomes necessary he may call upon
2 the commanders of the military and naval forces of the
3 United States in the island, or summon the posse comitatus,
4 or call out the militia to prevent or suppress lawless violence,
5 invasion, insurrection, or rebellion; and he may, in case of
6 rebellion or invasion or imminent danger thereof, when the
7 public safety requires it, suspend the privilege of the writ
8 of habeas corpus, or place the island, or any part thereof,
9 under martial law until communication can be had with the
10 President and his decision therein made known. He shall
11 annually and at such other times as he may be required make
12 official report of the transactions of the government of Porto
13 Rico to the executive department of the Government of the
14 United States to be designated by the President as herein
15 provided, and his said annual report shall be transmitted
16 to Congress, and he shall perform such additional duties and
17 functions as may in pursuance of law be delegated to him by
18 the President.

19 SEC. 13. That the following executive departments are
20 hereby created: A department of justice, the head of which
21 shall be designated as the attorney general; a department of
22 finance, the head of which shall be designated as the treas-
23 urer; a department of interior, the head of which shall be
24 designated as the commissioner of the interior; a depart-
25 ment of education, the head of which shall be designated as

1 the commissioner of education; a department of agriculture
2 and labor, the head of which shall be designated as the
3 commissioner of agriculture and labor; and a department
4 of health, the head of which shall be designated as the
5 commissioner of health. The heads of two of these depart-
6 ments shall be appointed by the President, by and with the
7 advice and consent of the Senate of the United States, to
8 hold office for four years and until their successors are ap-
9 pointed and qualified, unless sooner removed by the Presi-
10 dent. The heads of the four remaining departments shall
11 be appointed by the governor, by and with the advice and
12 consent of the Senate of Porto Rico. The heads of depart-
13 ments appointed by the governor may be selected from the
14 elected members of the senate and house of representatives,
15 and in such case shall hold office for the term of their elec-
16 tion to the legislature, unless sooner removed by the gov-
17 ernor or vacating their seats in the legislature. If such heads
18 of departments are not selected from members of the legis-
19 lature, they shall hold office during the life of the existing
20 legislature, unless sooner removed by the governor.

21 Heads of departments shall reside in Porto Rico during
22 their official incumbency.

23 The heads of departments shall collectively form a coun-
24 cil to the governor, known as the executive council. They
25 shall perform under the general supervision of the governor

1 the duties hereinafter prescribed, or which may hereafter
2 be prescribed by law, and such other duties, not inconsis-
3 ent with law, as the governor, with the approval of the
4 President, may assign to them; and they shall make annual
5 and such other reports to the governor as he may require,
6 which shall be transmitted to the executive department of the
7 Government of the United States to be designated by the
8 President as herein provided.

9 . SEC. 14. That the attorney general shall have general
10 charge of the administration of justice in Porto Rico. He
11 shall be the legal adviser of the governor and the heads of
12 departments and shall appear for the people of Porto Rico
13 and prosecute and defend all actions and proceedings, civil
14 or criminal, in the supreme court of Porto Rico, in which
15 the people of Porto Rico shall be interested or a party, and
16 may, if in his judgment the public interest requires, appear
17 for the people of Porto Rico and prosecute or defend in any
18 other court, or before any officer, in any cause, civil or crimi-
19 nal, in which the people of Porto Rico may be a party or
20 interested.

21 SEC. 15. That the treasurer shall give bond, approved
22 as to form by the attorney general of Porto Rico, in such
23 sum as the legislature may require, not less, however,
24 than the sum of \$125,000, with surety approved by the
25 governor, and he shall collect and be the custodian of

1 public funds, and shall disburse the same when appropri-
2 ated by law, on warrants signed by the auditor and coun-
3 tersigned by the governor, and perform such other duties
4 as may be provided by law. He may designate banking
5 institutions in Porto Rico as depositories of the government
6 of Porto Rico, subject to such conditions as may be prescribed
7 by the governor, after they have filed with him satisfactory
8 evidence of their sound financial condition and have deposited
9 bonds of the United States or of the government of Porto
10 Rico or other security satisfactory to the governor in such
11 amounts as may be indicated by him; and no banking institu-
12 tion shall be designated or used as a depository of the gov-
13 ernment of Porto Rico until the foregoing conditions have
14 been complied with.

15 SEC. 16. That the commissioner of the interior shall
16 superintend all works of a public nature, have charge of
17 all public buildings, grounds, and lands, except those be-
18 longing to the United States, and shall execute such re-
19 quirements as may be imposed by law with respect thereto,
20 and perform such other duties as may be prescribed by law.

21 SEC. 17. That the commissioner of education shall
22 superintend public instruction throughout Porto Rico, and
23 all disbursements on account thereof must be approved
24 by him, and he shall perform such other duties as may be
25 prescribed by law.

1 SEC. 18. That the commissioner of agriculture and
2 labor shall have general charge of such bureaus and branches
3 of government as shall be legally constituted for the study,
4 advancement, and benefit of agricultural and other industries
5 and of labor, and shall perform such other duties as may be
6 prescribed by law.

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

11 SEC. 20. That there shall be appointed by the Presi-
12 dent an auditor at an annual salary of \$6,500, who shall
13 examine, audit, and settle all accounts pertaining to the reve-
14 nues and receipts from whatever source of the government
15 of Porto Rico and of the municipal governments of Porto
16 Rico, including public trust funds and funds derived from bond
17 issues; and audit, in accordance with law and administrative
18 regulations, all expenditures of funds or property pertaining
19 to or held in trust by the government of Porto Rico or the
20 municipalities thereof. He shall perform a like duty with
21 respect to all government branches.

22 He shall keep the general accounts of the government
23 and preserve the vouchers pertaining thereto.

24 It shall be the duty of the auditor to bring to the atten-
25 tion of the proper administrative officer expenditures of funds

1 or property which, in his opinion, are irregular, unnecessary,
2 excessive, or extravagant.

3 In case of the absence from duty, from any cause, of
4 the auditor, the Governor of Porto Rico may designate an
5 assistant, who shall have charge of the office.

6 The jurisdiction of the auditor over accounts, whether
7 of funds or property, and all vouchers and records pertaining
8 thereto, shall be exclusive. With the approval of the gov-
9 ernor, he shall from time to time make and promulgate gen-
10 eral or special rules and regulations not inconsistent with law
11 covering the methods of accounting for public funds and
12 property, and funds and property held in trust by the gov-
13 ernment or any of its branches: *Provided*, That any officer
14 accountable for public funds or property may require such
15 additional reports or returns from his subordinates or others
16 as he may deem necessary for his own information and
17 protection.

18 The decisions of the auditor shall be final, except that
19 appeal therefrom may be taken by the party aggrieved
20 or the head of the department concerned within one year,
21 in the manner hereinafter prescribed. The auditor shall,
22 except as hereinafter provided, have like authority as that
23 conferred by law upon the several auditors of the United
24 States and the Comptroller of the United States Treasury
25 and is authorized to communicate directly with any person

1 having claims before him for settlement, or with any depart-
2 ment, officer, or person having official relations with his
3 office.

4 As soon after the close of each fiscal year as the
5 accounts of said year may be examined and adjusted, the
6 auditor shall submit to the governor an annual report of the
7 fiscal concerns of the government, showing the receipts and
8 disbursements of the various departments and bureaus of
9 the government and of the various municipalities, and
10 make such other reports as may be required of him by the
11 governor or the head of the executive department of the
12 Government of the United States, to be designated by the
13 President as herein provided.

14 In the execution of his duties the auditor is authorized
15 to summon witnesses, administer oaths, and to take evidence,
16 and, in the pursuance of these provisions, may issue sub-
17 pœnas and enforce the attendance of witnesses.

18 The office of the auditor shall be under the general
19 supervision of the governor and shall consist of the auditor
20 and deputy auditor and such necessary assistants as may
21 be prescribed by law.

22 SEC. 21. That any person aggrieved by the action or
23 decision of the auditor in the settlement of his account or
24 claim may, within one year, take an appeal in writing to

1 the governor, which appeal shall specifically set forth the
2 particular action of the auditor to which exception is taken,
3 with the reason and authorities relied on for reversing such
4 decision. The decision of the governor in such case shall be
5 final and conclusive.

6 SEC. 22. That there shall be appointed by the gov-
7 ernor, by and with the advice and consent of the senate of
8 Porto Rico, an executive secretary at an annual salary of
9 \$4,000, who shall record and preserve the minutes and pro-
10 ceedings of the public service commission hereinafter pro-
11 vided for and the laws enacted by the legislature and all
12 acts and proceedings of the governor, and promulgate all
13 proclamations and orders of the governor and all laws enacted
14 by the legislature, and perform such other duties as may be
15 assigned to him by the Governor of Porto Rico.

16 SEC. 23. That the Governor of Porto Rico, within sixty
17 days after the end of each session of the legislature, shall
18 transmit to the executive department of the Government of
19 the United States, to be designated as herein provided for,
20 which shall in turn transmit the same to the Congress of the
21 United States, copies of all laws enacted during the session.

22 SEC. 24. That the President may from time to time
23 designate the head of an executive department of Porto Rico
24 to act as governor in the case of a vacancy, the temporary
25 removal, resignation, or disability of the governor, or his

1 temporary absence, and the head of the department thus des-
2 ignated shall exercise all the powers and perform all the
3 duties of the governor during such vacancy, disability, or
4 absence.

5 SEC. 25. That all local legislative powers in Porto
6 Rico, except as herein otherwise provided, shall be vested in
7 a legislature which shall consist of two houses, one the senate
8 and the other the house of representatives, and the two
9 houses shall be designated "the Legislature of Porto Rico."

10 SEC. 26. That the Senate of Porto Rico shall consist of
11 nineteen members elected for terms of four years by the
12 qualified electors of Porto Rico. Each of the seven sen-
13 atorial districts defined as hereinafter provided shall have
14 the right to elect two senators, and in addition thereto
15 there shall be elected five senators at large. No person
16 shall be a member of the Senate of Porto Rico who is
17 not over thirty years of age, and who is not able to read
18 and write either the Spanish or English language, and
19 who has not been a resident of Porto Rico for at least two
20 consecutive years, and, except in the case of senators at large,
21 an actual resident of the senatorial district from which chosen
22 for a period of at least one year prior to his election, and who
23 does not own in his individual right taxable property in
24 Porto Rico to the value of not less than \$1,000. Except as
25 herein otherwise provided, the Senate of Porto Rico shall

1 exercise all of the purely legislative powers and functions
2 heretofore exercised by the executive council, including con-
3 firmation of appointments; but appointments made while the
4 senate is not in session shall be effective either until disap-
5 proved or until the next adjournment of the senate. In
6 electing the five senators at large each elector shall be per-
7 mitted to vote for but one candidate, and the five candidates
8 receiving the largest number of votes shall be elected.

9 SEC. 27. That the House of Representatives of Porto
10 Rico shall consist of thirty-nine members elected quadren-
11 nially by the qualified electors of Porto Rico, as hereinafter
12 provided. Each of the representative districts hereinafter
13 provided for shall have the right to elect one representative,
14 and in addition thereto there shall be elected four repre-
15 sentatives at large. No person shall be a member of the
16 house of representatives who is not over twenty-five years
17 of age, and who is not able to read and write either the
18 Spanish or English language, and who does not own in his
19 individual right taxable property, real or personal, situated
20 in Porto Rico, and except in the case of representative at
21 large, who has not been a bona fide resident of the district
22 from which elected for at least one year prior to his election.
23 In electing the four representatives at large, each elector
24 shall be permitted to vote for but one candidate, and the

1 four candidates receiving the largest number of votes shall
2 be elected.

3 SEC. 28. That for the purpose of elections hereafter
4 to the legislature the island of Porto Rico shall be divided
5 into thirty-five representative districts, composed of con-
6 tiguous and compact territory and established, so far as prac-
7 ticable, upon the basis of equal population. The division
8 into and the demarcation of such districts shall be made
9 by a commission of three persons to be appointed by the
10 governor, one member of which shall be chosen by him from
11 each of the two political parties casting the highest number
12 of votes at the last general election, and the third member of
13 which shall be chosen at his discretion. Division of districts
14 shall be made as nearly as practicable to conform to the
15 topographical nature of the land, with regard to roads and
16 other means of communication, and to natural barriers.
17 Said commission shall also divide the island of Porto Rico
18 into seven senatorial districts, each composed of five con-
19 tiguous and compact representative districts. They shall
20 make their report within thirty days after the approval of
21 this Act, which report, when approved by the governor, shall
22 be final.

23 SEC. 29. That the next election in Porto Rico shall be
24 held at the time and in the manner now provided by law,
25 and that there shall then be chosen senators and representa-

1 tives as herein provided. Thereafter elections shall be held
2 only on such days and under such regulations as to ballots
3 and voting as may be prescribed by the Legislature of
4 Porto Rico.

5 SEC. 30. That the terms of office of senators and
6 representatives shall be four years from the first of Janu-
7 ary following their election. In case of vacancy among
8 the members of the senate or in the house of representa-
9 tives, special elections may be held in the districts
10 wherein such vacancy occurred under such regulations as
11 may be prescribed by law, but senators or representatives
12 elected in such cases shall hold office only for the unex-
13 pired portion of the term wherein the vacancy occurred.

14 SEC. 31. That members of the Senate and House of
15 Representatives of Porto Rico shall receive compensation at
16 the rate of \$7 per day while in session, and mileage for each
17 session at the rate of 10 cents per kilometer for each kilo-
18 meter actually and necessarily traveled in going from their
19 legislative districts to the capital and therefrom to their
20 places of residence in their districts by the usual routes of
21 travel.

22 SEC. 32. That the senate and house of representatives,
23 respectively, shall be the sole judges of the elections, returns,
24 and qualifications of their members, and they shall have
25 and exercise all the powers with respect to the conduct of

1 their proceedings that usually pertain to parliamentary leg-
2 islative bodies. Both houses shall convene at the capital
3 on the second Monday in January following the next elec-
4 tion and organize by the election of a speaker or a pre-
5 siding officer, a clerk, and a sergeant at arms for each house,
6 and such other officers and assistants as may be required.

7 SEC. 33. That the first regular session of the Legis-
8 lature of Porto Rico provided for by this Act shall convene
9 on the second Monday in January, nineteen hundred and
10 fifteen, and biennially thereafter; but no regular session shall
11 continue longer than ninety days, not including Sundays,
12 holidays, or days during which both houses may by con-
13 current resolution have agreed to a recess. The governor
14 may call special sessions of the legislature or of the senate
15 at any time when in his opinion the public interest may
16 require it, and shall call the senate in session at least once
17 each year, but no special session shall continue longer than
18 ten days and no legislation shall be considered at such session
19 other than that specified in the call.

20 SEC. 34. That the enacting clause of the laws shall
21 be as to acts, "Be it enacted by the Legislature of Porto
22 Rico," and as to joint resolutions, "Be it resolved by the
23 Legislature of Porto Rico." All bills and joint resolutions
24 may originate in either house. The general appropriation
25 bill may be prepared by the governor and shall be intro-

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

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

16 .SEC. 35. That the qualified electors of Porto Rico,
17 after the general election for nineteen hundred and fourteen,
18 and for any election whatsoever, shall consist of those citi-
19 zens already registered as voters under the laws of Porto
20 Rico, and of those that will be thereafter registered in ac-
21 cordance with the terms of this Act and of the laws of
22 Porto Rico. That after the approval of this Act no person
23 shall be allowed to register as a voter in Porto Rico who is
24 not a citizen of the United States, over twenty-one years of

1 age, and who is not able to read and write, or on the date
2 of registration shall not own taxable real estate in his own
3 right or name, either personally or as a bona fide member of
4 a firm or copartnership.

5 SEC. 36. That the qualified electors of Porto Rico
6 shall, at the general election in nineteen hundred and four-
7 teen, and every four years thereafter, choose a resident
8 commissioner to the United States, whose term of office shall
9 be four years from the fourth of March following, and
10 who shall be entitled to receive official recognition as such
11 commissioner by all of the departments of the Govern-
12 ment of the United States, upon presentation, through
13 the Department of State, of a certificate of election of the
14 Governor of Porto Rico. The Resident Commissioner
15 shall receive a salary, payable monthly by the United States,
16 of \$7,500 per annum. Such commissioner shall be allowed
17 the same sum for stationery and for the pay of necessary
18 clerk hire as is now allowed to Members of the House of
19 Representatives of the United States; and he shall be allowed
20 the sum of \$500 as mileage for each session of the House
21 of Representatives and the franking privilege granted Mem-
22 bers of Congress. No person shall be eligible to election
23 as Resident Commissioner who is not a bona fide citizen
24 of the United States and who is not more than thirty years

1 of age, and who does not read and write the English
2 language.

3 SEC. 37. That the legislative authority herein provided
4 shall extend to all matters of a legislative character not
5 locally inapplicable, including power to create, consolidate,
6 and reorganize the municipalities so far as may be necessary,
7 and to provide and repeal laws and ordinances therefor; also
8 the power to alter, amend, modify, and repeal any and all
9 laws and ordinances of every character now in force in Porto
10 Rico or any municipality or district thereof not inconsistent
11 with the provisions of this Act.

12 No executive department not provided for in this Act
13 shall be created by the legislature.

14 SEC. 38. That all grants of franchises, rights, and privi-
15 leges or concessions of a public or quasi public nature shall
16 be made by a public-service commission, consisting of the
17 Executive Council and the auditor. The said commission is
18 also empowered and directed to discharge all the executive
19 functions heretofore conferred by law upon the Executive
20 Council provided by the Act of April twelfth, nineteen
21 hundred, not inconsistent with the provisions of this
22 Act, including the powers and duties prescribed by
23 an act of the Legislative Assembly of Porto Rico en-
24 titled "An act concerning the regulation of public-
25 service corporations in Porto Rico," approved March

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

21 SEC. 39. That all grants of franchises, privileges, and
22 concessions under the section last preceding shall provide
23 that the same shall be subject to amendment, alteration,
24 or repeal, and shall forbid the issue of stocks or bonds, ex-
25 cept in exchange for actual cash or property at a fair valu-

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

7 SEC. 40. That the execution of the laws of the United
8 States relating to immigration, to tariffs, customs, and duties
9 on importations into the United States and the regulations
10 made pursuant thereto shall be effected in Porto Rico through
11 officials appointed by the Governor of Porto Rico.

12 SEC. 41. That the judicial power shall be vested in
13 the courts and tribunals of Porto Rico now established and
14 in operation under and by virtue of existing laws. The
15 jurisdiction of said courts and the form of procedure in
16 them, and the various officers and attachés thereof, shall
17 also continue to be as now provided until otherwise provided
18 by law: *Provided, however,* That the chief justice and asso-
19 ciate justices of the supreme court shall be appointed by
20 the President, by and with the advice and consent of the
21 Senate, and the Legislature of Porto Rico shall have author-
22 ity, from time to time as it may see fit, not inconsistent
23 with this Act, to organize, modify, or rearrange the courts
24 and their jurisdiction and procedure, except the District
25 Court of the United States for Porto Rico.

1 SEC. 42. That Porto Rico shall constitute a judicial
2 district to be called "the district of Porto Rico." The
3 President, by and with the advice and consent of the Sen-
4 ate, shall appoint one district judge who shall as to pay,
5 tenure, retirement, and allowances be on the same footing
6 as other United States district judges. There shall be
7 appointed in like manner a district attorney, whose salary
8 shall be \$5,000 per annum, and a marshal for said district,
9 whose salary shall be \$3,000 per annum, each for a term
10 of four years unless sooner removed by the President. The
11 district court for said district shall be called "the district
12 court of the United States for Porto Rico," and shall have
13 power to appoint all necessary officials and assistants, includ-
14 ing the clerk, interpreter, and such commissioners as may
15 be necessary, who shall be entitled to the same fees and
16 have like powers and duties as are exercised and performed
17 by United States commissioners. Such courts shall have
18 jurisdiction of all cases cognizable in the district courts of
19 the United States, and shall proceed in the same manner;
20 and in addition shall have jurisdiction for the naturalization
21 of aliens, and shall have jurisdiction of all controversies
22 where all of the parties on either side of the controversy
23 are citizens or subjects of a foreign State or States, or citi-
24 zens of a State, Territory, or District of the United States not
25 domiciled in Porto Rico, wherein the matter in dis-

1 pute exceeds, exclusive of interest or cost, the sum or value
2 of \$3,000, and of all controversies in which there is a sep-
3 arable controversy involving such jurisdictional amount, and
4 in which all of the parties on either side of such separable
5 controversy are citizens or subjects of the character afore-
6 said: *Provided*, That nothing in this Act shall be deemed
7 to impair the jurisdiction of the “district court of the
8 United States for Porto Rico” to hear and determine all
9 controversies pending in said court at the date of the ap-
10 proval of this Act: *Provided further*, That hereafter the
11 salaries of the judge and officials of the district court of
12 the United States for Porto Rico, together with the court
13 expenses, shall be paid from the United States revenues in
14 the same manner as in other United States district courts.
15 In case of vacancy or of the death, absence, or other legal
16 disability on the part of the judge of the said “district court
17 of the United States for Porto Rico,” the President of
18 the United States is authorized to designate one of the
19 judges of the Supreme Court of Porto Rico to discharge
20 the duties of judge of said court until such absence or disa-
21 bility shall be removed, and thereupon such judge so des-
22 ignated for said service shall be fully authorized and em-
23 powered to perform the duties of said office during such
24 absence or disability of such regular judge, and to sign all

1 necessary papers and records as the acting judge of said court,
2 without extra compensation.

3 SEC. 43. That the laws of the United States relating
4 to appeals, writs of error, and certiorari, removal of causes,
5 and other matters of proceedings as between the courts of the
6 United States and the courts of the several States, shall govern
7 in such matters and proceedings as between the district court
8 of the United States and the courts of Porto Rico. Regular
9 terms of said United States district court shall be held
10 at San Juan, commencing on the second Monday in April
11 and October of each year, and also at Ponce on the second
12 Monday in January of each year, and special terms may be
13 held at Mayaguez at such other stated times as said judge
14 may deem expedient. All pleadings and proceedings in said
15 court shall be conducted in the English language. The
16 said district court shall be attached to and included in
17 the third circuit of the United States, with the right of ap-
18 peal and review by said circuit court of appeals in all cases
19 where the same would lie from any district court to a circuit
20 court of appeals of the United States.

21 SEC. 44. That writs of error and appeals from the final
22 judgments and decrees of the Supreme Court of and the
23 United States District Court for Porto Rico may be taken
24 and prosecuted to the Supreme Court of the United States
25 in any case wherein is involved the validity of any copyright,

1 or in which is drawn in question the validity of a treaty or
2 statute of or authority exercised under the United States, or
3 wherein the Constitution of the United States or a treaty
4 thereof or an Act of Congress is brought in question and the
5 right claimed thereunder is denied without regard to the
6 sum or value of the matter in dispute, and in all other cases
7 in which the sum or value of the matter in dispute, exclusive
8 of costs, to be ascertained by the oath of either party or of
9 other competent witnesses exceeds the sum or value of
10 \$5,000. Such writs of error and appeals shall be taken
11 within the same time, in the same manner, and under the
12 same regulations as writs of error and appeals are taken to
13 the Supreme Court of the United States from the district
14 courts.

15 SEC. 45. 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

1 the laws of Congress regulating the same in United States
2 courts is so far as locally applicable.

3 SEC. 46. That all such fees, fines, costs, and forfeitures
4 as would be deposited to the credit of the United States if
5 collected and paid into a district court of the United States
6 shall become revenues of the United States if collected and
7 paid into the District Court of the United States for Porto
8 Rico.

9 SEC. 47. That the Attorney General of the United
10 States shall from time to time determine the salaries of all
11 officials and assistants appointed by the United States Dis-
12 trict Court, including the clerk, his deputies, interpreter,
13 stenographer, and other officials and employees, the same
14 to be paid by the United States as other salaries and ex-
15 penses of like character in United States courts.

16 SEC. 48. That jurors and witnesses in the District
17 Court of the United States for Porto Rico shall be entitled
18 to and receive 15 cents for each mile necessarily traveled
19 over any stage line or by private conveyance and 10 cents
20 for each mile over any railway in going to and returning
21 from said courts. But no constructive or double mileage
22 fees shall be allowed by reason of any person being sum-
23 moned both as witness and juror, or as witness in two or
24 more cases pending in the same court and triable at the
25 same term thereof. Such jurors shall be paid \$2 per day,

1 and such witnesses \$1 per day, while in attendance upon
2 the court.

3 SEC. 49. That the supreme and district courts of Porto
4 Rico and the respective judges thereof may grant writs of
5 habeas corpus in all cases in which the same are grantable
6 by the judges of the district courts of the United States, and
7 the district courts may grant writs of mandamus in all proper
8 cases.

9 SEC. 50. That hereafter all judges, marshals, and sec-
10 retaries of courts now established or that may hereafter be
11 established in Porto Rico, and whose appointment by the
12 President is not provided for by law, shall be appointed by
13 the governor, by and with the advice and consent of the
14 Senate of Porto Rico.

15 SEC. 51. That, except as in this Act otherwise pro-
16 vided, the salaries of all the officials of Porto Rico not
17 appointed by the President, including deputies, assistants,
18 and other help, shall be such and be so paid out of the
19 revenues of Porto Rico as shall from time to time be deter-
20 mined by the Legislature of Porto Rico and approved by
21 the governor; and if the legislature shall fail to make an
22 appropriation for such salaries, the salaries so fixed shall
23 be paid without the necessity of further appropriations there-
24 for. The salaries of all officers and all expenses of the
25 offices of the various officials of Porto Rico appointed as

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

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

15 SEC. 52. That the provisions of the foregoing section
16 shall not apply to municipal officials; their salaries and the
17 compensation of their deputies, assistants, and other help, as
18 well as all other expenses incurred by the municipalities,
19 shall be paid out of the municipal revenues in such manner as
20 the legislature shall provide.

21 SEC. 53. That wherever in this Act officers of the gov-
22 ernment are provided for under the same names as in the
23 heretofore existing Acts of Congress affecting Porto Rico, the
24 present incumbents of those offices shall continue in office in
25 accordance with the terms and at the salaries prescribed by

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

5 SEC. 54. That any bureau or office belonging to any of
6 the regular departments of the government, or hereafter
7 created, or not assigned, may be transferred or assigned to
8 any department by the governor upon the approval of the
9 President of the United States.

10 SEC. 55. That deeds and other instruments affecting
11 land situate in the District of Columbia, or any other Terri-
12 tory of the United States, may be acknowledged in Porto
13 Rico before any notary public appointed therein by proper
14 authority, or any officer therein who has ex officio the
15 powers of a notary public: *Provided*, That the certificate
16 by such notary shall be accompanied by the certificate of
17 the executive secretary of Porto Rico to the effect that the
18 notary taking such acknowledgment is in fact such notarial
19 officer.

20 SEC. 56. That nothing in this Act shall be deemed to
21 impair or interrupt the jurisdiction of existing courts over
22 matters pending therein upon the approval of this Act,
23 which jurisdiction is in all respects hereby continued, the
24 purpose of this Act being to preserve the integrity of all
25 of said courts and their jurisdiction until otherwise pro-

1 vided by law, except as in this Act otherwise specifically
2 provided.

3 SEC. 57. That this Act shall take effect upon approval,
4 but until its provisions shall severally become operative, as
5 hereinbefore provided, the corresponding legislative and
6 executive functions of the government in Porto Rico shall
7 continue to be exercised and in full force and operation as
8 now provided by law; and the Executive Council shall,
9 until the assembly and organization of the Legislature of
10 Porto Rico as herein provided, consist of the attorney gen-
11 eral, the treasurer, the commissioner of the interior, the com-
12 missioner of education, the commissioner of health, and
13 the commissioner of agriculture and labor, and the five
14 additional members as now provided by law. And any
15 functions assigned to the Senate of Porto Rico by the pro-
16 visions of this Act shall, until this said senate has assembled
17 and organized as herein provided, be exercised by the Ex-
18 ecutive Council as thus constituted.

19 SEC. 58. That the laws and ordinances of Porto Rico
20 now in force shall continue in force and effect, except as
21 altered, amended, or modified herein, until altered, amended,
22 or repealed by the legislative authority herein provided for
23 Porto Rico or by Act of Congress of the United States; and
24 such legislative authority shall have power, when not incon-
25 sistent with this Act, by due enactment to amend, alter,

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

4 SEC. 59. That all laws or parts of laws applicable to
5 Porto Rico not in conflict with any of the provisions of this
6 Act, including the laws relating to tariffs, customs, and duties
7 on importations into Porto Rico prescribed by the Act of
8 Congress entitled "An Act temporarily to provide revenues
9 and a civil government for Porto Rico, and for other pur-
10 poses," approved April twelfth, nineteen hundred, are hereby
11 continued in effect, and all laws and parts of laws inconsistent
12 with the provisions of this Act are hereby repealed.

63^d CONGRESS, }
2^d SESSION. } **H. R. 14866.**

A BILL

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

By **Mr. JONES.**

MARCH 20, 1914.—Referred to the Committee on In-
sular Affairs and ordered to be printed.

63D CONGRESS,
2D SESSION.

Union Calendar No. 149. H. R. 14866.

[Report No. 461.]

IN THE HOUSE OF REPRESENTATIVES.

MARCH 20, 1914.

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

MARCH 26, 1914.

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

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 be bailable 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 exist.

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 eight hours shall constitute a day's work in all
11 cases of employment by and on behalf of the government
12 of the island.

13 That the employment of children under the age of
14 fourteen years in any occupation injurious to health or morals
15 or hazardous to life or limb is hereby prohibited.

16 That the right of action to recover damages for inju-
17 ries resulting in death shall never be abrogated.

18 SEC. 3. That no export duties shall be levied or col-
19 lected on exports from Porto Rico, but taxes and assess-
20 ments on property and license fees for franchises, privileges,
21 and concessions may be imposed for the purposes of the
22 insular and municipal governments, respectively, as may be
23 provided and defined by the Legislature of Porto Rico; and
24 when necessary to anticipate taxes and revenues, bonds, and
25 other obligations may be issued by Porto Rico or any

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

13 SEC. 4. That the capital of Porto Rico shall be at the
14 city of San Juan, and the seat of government shall be main-
15 tained there.

16 SEC. 5. That all citizens of Porto Rico, as defined
17 by section seven of the Act of April twelfth, nineteen
18 hundred, "temporarily to provide revenues and a civil
19 government for Porto Rico, and for other purposes," and
20 all natives of Porto Rico who were temporarily absent from
21 that island on April eleventh, eighteen hundred and ninety-
22 nine, and have since returned and are permanently resid-
23 ing in that island, and are not citizens of any foreign
24 country, are hereby declared, and shall be deemed and held
25 to be, citizens of the United States: *Provided,* That any

1 person hereinbefore described may retain his present politi-
2 cal status by making a declaration, under oath, of his
3 decision to do so within six months of the taking effect
4 of this Act before the district court in the district in
5 which he resides, the declaration to be in form as follows:

6 “ I, _____, being duly sworn, hereby declare my
7 intention not to become a citizen of the United States as
8 provided in the Act of Congress conferring United States
9 citizenship upon citizens of Porto Rico and certain natives
10 permanently residing in said island.”

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

17 SEC. 6. That all expenses that may be incurred on
18 account of the government of Porto Rico for salaries of
19 officials and the conduct of their offices and departments,
20 and all expenses and obligations contracted for the internal
21 improvement or development of the island, not, however,
22 including defenses, barracks, harbors, lighthouses, buoys,
23 and other works undertaken by the United States, shall,
24 except as otherwise specifically provided by the Congress,

1 be paid by the treasurer of Porto Rico out of the revenue
2 in his custody.

3 SEC. 7. That all property which may have been ac-
4 quired in Porto Rico by the United States under the cession
5 of Spain in the treaty of peace entered into on the tenth
6 day of December, eighteen hundred and ninety-eight, in
7 any public bridges, road houses, water powers, highways,
8 unnavigable streams and the beds thereof, subterranean
9 waters, mines or minerals under the surface of private
10 lands, all property which at the time of the cession belonged,
11 under the laws of Spain then in force, to the various harbor
12 works boards of Porto Rico, all the harbor shores, docks,
13 slips, reclaimed lands, and all public lands and buildings
14 not heretofore reserved by the United States for public
15 purposes, is hereby placed under the control of the gov-
16 ernment of Porto Rico, to be administered for the benefit
17 of the people of Porto Rico; and the Legislature of Porto
18 Rico shall have authority, subject to the limitations imposed
19 upon all its acts, to legislate with respect to all such matters
20 as it may deem advisable: *Provided*, That the President
21 may from time to time, in his discretion, convey to the
22 people of Porto Rico such lands, buildings, or interests in
23 lands or other property now owned by the United States
24 and within the territorial limits of Porto Rico as in his
25 opinion are no longer needed for purposes of the United

1 States. And he may from time to time accept by legislative
2 grant from Porto Rico any lands, buildings, or other in-
3 terests or property which may be needed for public purposes
4 by the United States.

5 SEC. 8. That the harbor areas and navigable streams
6 and bodies of water and submerged lands underlying the
7 same in and around the island of Porto Rico and the adjacent
8 islands and waters, now owned by the United States and not
9 reserved by the United States for public purposes, be, and
10 the same are hereby, placed under the control of the govern-
11 ment of Porto Rico to be administered in the same manner
12 and subject to the same limitations as the property enumer-
13 ated in the preceding section: *Provided*, That all laws of the
14 United States for the protection and improvement of the
15 navigable waters of the United States and the preservation
16 of the interest of navigation and commerce, except so far as
17 the same may be locally inapplicable, shall apply to said
18 island and waters and to its adjacent islands and waters:
19 *Provided further*. That nothing in this Act contained shall be
20 construed so as to affect or impair in any manner the terms
21 or conditions of any authorizations, permits, or other powers
22 heretofore lawfully granted or exercised in or in respect of
23 said waters and submerged lands in and surrounding said
24 island and its adjacent islands by the Secretary of War or
25 other authorized officer or agent of the United States: *And*

1 *provided further*, That the Act of Congress approved June
2 eleventh, nineteen hundred and six, entitled “An Act to
3 empower the Secretary of War, under certain restrictions, to
4 authorize the construction, extension, and maintenance of
5 wharves, piers, and other structures on lands underlying har-
6 bor areas and navigable streams and bodies of water in or
7 surrounding Porto Rico and the islands adjacent thereto,” and
8 all other laws and parts of laws in conflict with this Act be,
9 and the same are, hereby repealed.

10 SEC. 9. That the statutory laws of the United States
11 not locally inapplicable, except as hereinbefore or hereinafter
12 otherwise provided, shall have the same force and effect
13 in Porto Rico as in the United States, except the internal-
14 revenue laws.

15 SEC. 10. That all judicial process shall run in the name
16 of “United States of America, ss, the President of the United
17 States,” and all penal or criminal prosecutions in the local
18 courts shall be conducted in the name and by the authority
19 of “The People of Porto Rico”; and all officials authorized
20 by this Act shall, before entering upon the duties of their
21 respective offices, take an oath to support the Constitution
22 of the United States and the laws of Porto Rico.

23 SEC. 11. That all reports required by law to be made
24 by the governor or heads of departments to the United

1 States shall hereafter be made to an executive depart-
2 ment of the Government of the United States to be
3 designated by the President, and the President is hereby
4 authorized to place all matters pertaining to the government
5 of Porto Rico in the jurisdiction of such department.

6 SEC. 12. That the supreme executive power shall be
7 vested in an executive officer, whose official title shall be
8 “the Governor of Porto Rico.” He shall be appointed by
9 the President, by and with the advice and consent of the
10 Senate, and hold his office at the pleasure of the President
11 and until his successor is chosen and qualified. The gov-
12 ernor shall reside in Porto Rico during his official incum-
13 bency, and maintain his office at the seat of government.
14 He shall have general supervision and control of all of the
15 departments and bureaus of the government in Porto Rico
16 so far as is not inconsistent with the provisions of this Act,
17 and shall be commander in chief of the militia. He may
18 grant pardons and reprieves, and remit fines and forfeitures
19 for offenses against the laws of Porto Rico and respites for
20 offenses against the laws of the United States until the de-
21 cision of the President can be ascertained, and may veto any
22 legislation enacted as hereinafter provided. He shall com-
23 mission all officers that he may be authorized to appoint.
24 He shall be responsible for the faithful execution of the laws
25 of Porto Rico and of the United States applicable in Porto

1 Rico, and whenever it becomes necessary he may call upon
2 the commanders of the military and naval forces of the
3 United States in the island, or summon the posse comitatus,
4 or call out the militia to prevent or suppress lawless violence,
5 invasion, insurrection, or rebellion; and he may, in case of
6 rebellion or invasion or imminent danger thereof, when the
7 public safety requires it, suspend the privilege of the writ
8 of habeas corpus, or place the island, or any part thereof,
9 under martial law until communication can be had with the
10 President and his decision therein made known. He shall
11 annually and at such other times as he may be required make
12 official report of the transactions of the government of Porto
13 Rico to the executive department of the Government of the
14 United States to be designated by the President as herein
15 provided, and his said annual report shall be transmitted
16 to Congress, and he shall perform such additional duties and
17 functions as may in pursuance of law be delegated to him by
18 the President.

19 SEC. 13. That the following executive departments are
20 hereby created: A department of justice, the head of which
21 shall be designated as the attorney general; a department of
22 finance, the head of which shall be designated as the treas-
23 urer; a department of interior, the head of which shall be
24 designated as the commissioner of the interior; a depart-
25 ment of education, the head of which shall be designated as

1 the commissioner of education; a department of agriculture
2 and labor, the head of which shall be designated as the
3 commissioner of agriculture and labor; and a department
4 of health, the head of which shall be designated as the
5 commissioner of health. The heads of two of these depart-
6 ments shall be appointed by the President, by and with the
7 advice and consent of the Senate of the United States, to
8 hold office for four years and until their successors are ap-
9 pointed and qualified, unless sooner removed by the Presi-
10 dent. The heads of the four remaining departments shall
11 be appointed by the governor, by and with the advice and
12 consent of the Senate of Porto Rico. The heads of depart-
13 ments appointed by the governor may be selected from the
14 elected members of the senate and house of representatives,
15 and in such case shall hold office for the term of their elec-
16 tion to the legislature, unless sooner removed by the gov-
17 ernor or vacating their seats in the legislature. If such heads
18 of departments are not selected from members of the legis-
19 lature, they shall hold office during the life of the existing
20 legislature, unless sooner removed by the governor.

21 Heads of departments shall reside in Porto Rico during
22 their official incumbency.

23 The heads of departments shall collectively form a coun-
24 cil to the governor, known as the executive council. They
25 shall perform under the general supervision of the governor

1 the duties hereinafter prescribed, or which may hereafter
2 be prescribed by law, and such other duties, not inconsis-
3 ent with law, as the governor, with the approval of the
4 President, may assign to them; and they shall make annual
5 and such other reports to the governor as he may require,
6 which shall be transmitted to the executive department of the
7 Government of the United States to be designated by the
8 President as herein provided.

9 SEC. 14. That the attorney general shall have general
10 charge of the administration of justice in Porto Rico. He
11 shall be the legal adviser of the governor and the heads of
12 departments and shall appear for the people of Porto Rico
13 and prosecute and defend all actions and proceedings, civil
14 or criminal, in the supreme court of Porto Rico, in which
15 the people of Porto Rico shall be interested or a party, and
16 may, if in his judgment the public interest requires, appear
17 for the people of Porto Rico and prosecute or defend in any
18 other court, or before any officer, in any cause, civil or crimi-
19 nal, in which the people of Porto Rico may be a party or
20 interested.

21 SEC. 15. That the treasurer shall give bond, approved
22 as to form by the attorney general of Porto Rico, in such
23 sum as the legislature may require, not less, however,
24 than the sum of \$125,000, with surety approved by the
25 governor, and he shall collect and be the custodian of

1 public funds, and shall disburse the same when appropri-
2 ated by law, on warrants signed by the auditor and coun-
3 tersigned by the governor, and perform such other duties
4 as may be provided by law. He may designate banking
5 institutions in Porto Rico as depositories of the government
6 of Porto Rico, subject to such conditions as may be prescribed
7 by the governor, after they have filed with him satisfactory
8 evidence of their sound financial condition and have deposited
9 bonds of the United States or of the government of Porto
10 Rico or other security satisfactory to the governor in such
11 amounts as may be indicated by him; and no banking institu-
12 tion shall be designated or used as a depository of the gov-
13 ernment of Porto Rico until the foregoing conditions have
14 been complied with.

15 SEC. 16. That the commissioner of the interior shall
16 superintend all works of a public nature, have charge of
17 all public buildings, grounds, and lands, except those be-
18 longing to the United States, and shall execute such re-
19 quirements as may be imposed by law with respect thereto,
20 and perform such other duties as may be prescribed by law.

21 SEC. 17. That the commissioner of education shall
22 superintend public instruction throughout Porto Rico, and
23 all disbursements on account thereof must be approved
24 by him, and he shall perform such other duties as may be
25 prescribed by law.

1 SEC. 18. That the commissioner of agriculture and
2 labor shall have general charge of such bureaus and branches
3 of government as shall be legally constituted for the study,
4 advancement, and benefit of agricultural and other industries
5 and of labor, and shall perform such other duties as may be
6 prescribed by law.

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

11 SEC. 20. That there shall be appointed by the Presi-
12 dent an auditor at an annual salary of \$6,500, who shall
13 examine, audit, and settle all accounts pertaining to the reve-
14 nues and receipts from whatever source of the government
15 of Porto Rico and of the municipal governments of Porto
16 Rico, including public trust funds and funds derived from bond
17 issues; and audit, in accordance with law and administrative
18 regulations, all expenditures of funds or property pertaining
19 to or held in trust by the government of Porto Rico or the
20 municipalities thereof. He shall perform a like duty with
21 respect to all government branches.

22 He shall keep the general accounts of the government
23 and preserve the vouchers pertaining thereto.

24 It shall be the duty of the auditor to bring to the atten-
25 tion of the proper administrative officer expenditures of funds

1 or property which, in his opinion, are irregular, unnecessary,
2 excessive, or extravagant.

3 In case of the absence from duty, from any cause, of
4 the auditor, the Governor of Porto Rico may designate an
5 assistant, who shall have charge of the office.

6 The jurisdiction of the auditor over accounts, whether
7 of funds or property, and all vouchers and records pertaining
8 thereto, shall be exclusive. With the approval of the gov-
9 ernor, he shall from time to time make and promulgate gen-
10 eral or special rules and regulations not inconsistent with law
11 covering the methods of accounting for public funds and
12 property, and funds and property held in trust by the gov-
13 ernment or any of its branches: *Provided*, That any officer
14 accountable for public funds or property may require such
15 additional reports or returns from his subordinates or others
16 as he may deem necessary for his own information and
17 protection.

18 The decisions of the auditor shall be final, except that
19 appeal therefrom may be taken by the party aggrieved
20 or the head of the department concerned within one year,
21 in the manner hereinafter prescribed. The auditor shall,
22 except as hereinafter provided, have like authority as that
23 conferred by law upon the several auditors of the United
24 States and the Comptroller of the United States Treasury
25 and is authorized to communicate directly with any person

1 having claims before him for settlement, or with any depart-
2 ment, officer, or person having official relations with his
3 office.

4 As soon after the close of each fiscal year as the
5 accounts of said year may be examined and adjusted, the
6 auditor shall submit to the governor an annual report of the
7 fiscal concerns of the government, showing the receipts and
8 disbursements of the various departments and bureaus of
9 the government and of the various municipalities, and
10 make such other reports as may be required of him by the
11 governor or the head of the executive department of the
12 Government of the United States, to be designated by the
13 President as herein provided.

14 In the execution of his duties the auditor is authorized
15 to summon witnesses, administer oaths, and to take evidence,
16 and, in the pursuance of these provisions, may issue sub-
17 poenas and enforce the attendance of witnesses.

18 The office of the auditor shall be under the general
19 supervision of the governor and shall consist of the auditor
20 and deputy auditor and such necessary assistants as may
21 be prescribed by law.

22 SEC. 21. That any person aggrieved by the action or
23 decision of the auditor in the settlement of his account or
24 claim may, within one year, take an appeal in writing to

1 the governor, which appeal shall specifically set forth the
2 particular action of the auditor to which exception is taken,
3 with the reason and authorities relied on for reversing such
4 decision. The decision of the governor in such case shall be
5 final and conclusive.

6 SEC. 22. That there shall be appointed by the gov-
7 ernor, by and with the advice and consent of the senate of
8 Porto Rico, an executive secretary at an annual salary of
9 \$4,000, who shall record and preserve the minutes and pro-
10 ceedings of the public service commission hereinafter pro-
11 vided for and the laws enacted by the legislature and all
12 acts and proceedings of the governor, and promulgate all
13 proclamations and orders of the governor and all laws enacted
14 by the legislature, and perform such other duties as may be
15 assigned to him by the Governor of Porto Rico.

16 SEC. 23. That the Governor of Porto Rico, within sixty
17 days after the end of each session of the legislature, shall
18 transmit to the executive department of the Government of
19 the United States, to be designated as herein provided for,
20 which shall in turn transmit the same to the Congress of the
21 United States, copies of all laws enacted during the session.

22 SEC. 24. That the President may from time to time
23 designate the head of an executive department of Porto Rico
24 to act as governor in the case of a vacancy, the temporary
25 removal, resignation, or disability of the governor, or his

1 temporary absence, and the head of the department thus des-
2 igned shall exercise all the powers and perform all the
3 duties of the governor during such vacancy, disability, or
4 absence.

5 SEC. 25. That all local legislative powers in Porto
6 Rico, except as herein otherwise provided, shall be vested in
7 a legislature which shall consist of two houses, one the senate
8 and the other the house of representatives, and the two
9 houses shall be designated "the Legislature of Porto Rico."

10 SEC. 26. That the Senate of Porto Rico shall consist of
11 nineteen members elected for terms of four years by the
12 qualified electors of Porto Rico. Each of the seven sen-
13 atorial districts defined as hereinafter provided shall have
14 the right to elect two senators, and in addition thereto
15 there shall be elected five senators at large. No person
16 shall be a member of the Senate of Porto Rico who is
17 not over thirty years of age, and who is not able to read
18 and write either the Spanish or English language, and
19 who has not been a resident of Porto Rico for at least two
20 consecutive years, and, except in the case of senators at large,
21 an actual resident of the senatorial district from which chosen
22 for a period of at least one year prior to his election, and who
23 does not own in his individual right taxable property in
24 Porto Rico to the value of not less than \$1,000. Except as
25 herein otherwise provided, the Senate of Porto Rico shall

1 exercise all of the purely legislative powers and functions
2 heretofore exercised by the executive council, including con-
3 firmation of appointments; but appointments made while the
4 senate is not in session shall be effective either until disap-
5 proved or until the next adjournment of the senate. In
6 electing the five senators at large each elector shall be per-
7 mitted to vote for but one candidate, and the five candidates
8 receiving the largest number of votes shall be elected.

9 SEC. 27. That the House of Representatives of Porto
10 Rico shall consist of thirty-nine members elected quadren-
11 nially by the qualified electors of Porto Rico, as hereinafter
12 provided. Each of the representative districts hereinafter
13 provided for shall have the right to elect one representative,
14 and in addition thereto there shall be elected four repre-
15 sentatives at large. No person shall be a member of the
16 house of representatives who is not over twenty-five years
17 of age, and who is not able to read and write either the
18 Spanish or English language, and who does not own in his
19 individual right taxable property, real or personal, situated
20 in Porto Rico, and except in the case of representative at
21 large, who has not been a bona fide resident of the district
22 from which elected for at least one year prior to his election.
23 In electing the four representatives at large, each elector
24 shall be permitted to vote for but one candidate, and the

1 four candidates receiving the largest number of votes shall
2 be elected.

3 SEC. 28. That for the purpose of elections hereafter
4 to the legislature the island of Porto Rico shall be divided
5 into thirty-five representative districts, composed of con-
6 tiguous and compact territory and established, so far as prac-
7 ticable, upon the basis of equal population. The division
8 into and the demarcation of such districts shall be made
9 by a commission of three persons to be appointed by the
10 governor, one member of which shall be chosen by him from
11 each of the two political parties casting the highest number
12 of votes at the last general election, and the third member of
13 which shall be chosen at his discretion. Division of districts
14 shall be made as nearly as practicable to conform to the
15 topographical nature of the land, with regard to roads and
16 other means of communication, and to natural barriers.
17 Said commission shall also divide the island of Porto Rico
18 into seven senatorial districts, each composed of five con-
19 tiguous and compact representative districts. They shall
20 make their report within thirty days after the approval of
21 this Act, which report, when approved by the governor, shall
22 be final.

23 SEC. 29. That the next election in Porto Rico shall be
24 held at the time and in the manner now provided by law,
25 and that there shall then be chosen senators and representa-

1 tives as herein provided. Thereafter elections shall be held
2 only on such days and under such regulations as to ballots
3 and voting as may be prescribed by the Legislature of
4 Porto Rico.

5 SEC. 30. That the terms of office of senators and
6 representatives shall be four years from the first of Janu-
7 ary following their election. In case of vacancy among
8 the members of the senate or in the house of representa-
9 tives, special elections may be held in the districts
10 wherein such vacancy occurred under such regulations as
11 may be prescribed by law, but senators or representatives
12 elected in such cases shall hold office only for the unex-
13 pired portion of the term wherein the vacancy occurred.

14 SEC. 31. That members of the Senate and House of
15 Representatives of Porto Rico shall receive compensation at
16 the rate of \$7 per day while in session, and mileage for each
17 session at the rate of 10 cents per kilometer for each kilo-
18 meter actually and necessarily traveled in going from their
19 legislative districts to the capital and therefrom to their
20 places of residence in their districts by the usual routes of
21 travel.

22 SEC. 32. That the senate and house of representatives,
23 respectively, shall be the sole judges of the elections, returns,
24 and qualifications of their members, and they shall have
25 and exercise all the powers with respect to the conduct of

1 their proceedings that usually pertain to parliamentary leg-
2 islative bodies. Both houses shall convene at the capital
3 on the second Monday in January following the next elec-
4 tion and organize by the election of a speaker or a pre-
5 siding officer, a clerk, and a sergeant at arms for each house,
6 and such other officers and assistants as may be required.

7 SEC. 33. That the first regular session of the Legis-
8 lature of Porto Rico provided for by this Act shall convene
9 on the second Monday in January, nineteen hundred and
10 fifteen, and biennially thereafter; but no regular session shall
11 continue longer than ninety days, not including Sundays,
12 holidays, or days during which both houses may by con-
13 current resolution have agreed to a recess. The governor
14 may call special sessions of the legislature or of the senate
15 at any time when in his opinion the public interest may
16 require it, and shall call the senate in session at least once
17 each year, but no special session shall continue longer than
18 ten days and no legislation shall be considered at such session
19 other than that specified in the call.

20 SEC. 34. That the enacting clause of the laws shall
21 be as to acts, "Be it enacted by the Legislature of Porto
22 Rico," and as to joint resolutions, "Be it resolved by the
23 Legislature of Porto Rico." All bills and joint resolutions
24 may originate in either house. The general appropriation
25 bill may be prepared by the governor and shall be intro-

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

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

16 SEC. 35. That the qualified electors of Porto Rico,
17 after the general election for nineteen hundred and fourteen,
18 and for any election whatsoever, shall consist of those citi-
19 zens already registered as voters under the laws of Porto
20 Rico, and of those that will be thereafter registered in ac-
21 cordance with the terms of this Act and of the laws of
22 Porto Rico. That after the approval of this Act no person
23 shall be allowed to register as a voter in Porto Rico who is
24 not a citizen of the United States, over twenty-one years of

1 age, and who is not able to read and write, or on the date
2 of registration shall not own taxable real estate in his own
3 right or name, either personally or as a bona fide member of
4 a firm or copartnership.

5 SEC. 36. That the qualified electors of Porto Rico
6 shall, at the general election in nineteen hundred and four-
7 teen, and every four years thereafter, choose a resident
8 commissioner to the United States, whose term of office shall
9 be four years from the fourth of March following, and
10 who shall be entitled to receive official recognition as such
11 commissioner by all of the departments of the Govern-
12 ment of the United States, upon presentation, through
13 the Department of State, of a certificate of election of the
14 Governor of Porto Rico. The Resident Commissioner
15 shall receive a salary, payable monthly by the United States,
16 of \$7,500 per annum. Such commissioner shall be allowed
17 the same sum for stationery and for the pay of necessary
18 clerk hire as is now allowed to Members of the House of
19 Representatives of the United States; and he shall be allowed
20 the sum of \$500 as mileage for each session of the House
21 of Representatives and the franking privilege granted Mem-
22 bers of Congress. No person shall be eligible to election
23 as Resident Commissioner who is not a bona fide citizen
24 of the United States and who is not more than thirty years

1 of age, and who does not read and write the English
2 language.

3 SEC. 37. That the legislative authority herein provided
4 shall extend to all matters of a legislative character not
5 locally inapplicable, including power to create, consolidate,
6 and reorganize the municipalities so far as may be necessary,
7 and to provide and repeal laws and ordinances therefor; also
8 the power to alter, amend, modify, and repeal any and all
9 laws and ordinances of every character now in force in Porto
10 Rico or any municipality or district thereof not inconsistent
11 with the provisions of this Act.

12 No executive department not provided for in this Act
13 shall be created by the legislature.

14 SEC. 38. That all grants of franchises, rights, and privi-
15 leges or concessions of a public or quasi public nature shall
16 be made by a public-service commission, consisting of the
17 Executive Council and the auditor. The said commission is
18 also empowered and directed to discharge all the executive
19 functions heretofore conferred by law upon the Executive
20 Council provided by the Act of April twelfth, nineteen
21 hundred, not inconsistent with the provisions of this
22 Act, including the powers and duties prescribed by
23 an act of the Legislative Assembly of Porto Rico en-
24 titled "An act concerning the regulation of public-
25 service corporations in Porto Rico," approved March

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

21 SEC. 39. That all grants of franchises, privileges, and
22 concessions under the section last preceding shall provide
23 that the same shall be subject to amendment, alteration,
24 or repeal, and shall forbid the issue of stocks or bonds, ex-
25 cept in exchange for actual cash or property at a fair valu-

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

7 SEC. 40. That the execution of the laws of the United
8 States relating to immigration, to tariffs, customs, and duties
9 on importations into the United States and the regulations
10 made pursuant thereto shall be effected in Porto Rico through
11 officials appointed by the Governor of Porto Rico.

12 SEC. 41. That the judicial power shall be vested in
13 the courts and tribunals of Porto Rico now established and
14 in operation under and by virtue of existing laws. The
15 jurisdiction of said courts and the form of procedure in
16 them, and the various officers and attachés thereof, shall
17 also continue to be as now provided until otherwise provided
18 by law: *Provided, however,* That the chief justice and asso-
19 ciate justices of the supreme court shall be appointed by
20 the President, by and with the advice and consent of the
21 Senate, and the Legislature of Porto Rico shall have author-
22 ity, from time to time as it may see fit, not inconsistent
23 with this Act, to organize, modify, or rearrange the courts
24 and their jurisdiction and procedure, except the District
25 Court of the United States for Porto Rico.

1 SEC. 42. That Porto Rico shall constitute a judicial
2 district to be called "the district of Porto Rico." The
3 President, by and with the advice and consent of the Sen-
4 ate, shall appoint one district judge who shall as to pay,
5 tenure, retirement, and allowances be on the same footing
6 as other United States district judges. There shall be
7 appointed in like manner a district attorney, whose salary
8 shall be \$5,000 per annum, and a marshal for said district,
9 whose salary shall be \$3,000 per annum, each for a term
10 of four years unless sooner removed by the President. The
11 district court for said district shall be called "the district
12 court of the United States for Porto Rico," and shall have
13 power to appoint all necessary officials and assistants, includ-
14 ing the clerk, interpreter, and such commissioners as may
15 be necessary, who shall be entitled to the same fees and
16 have like powers and duties as are exercised and performed
17 by United States commissioners. Such courts shall have
18 jurisdiction of all cases cognizable in the district courts of
19 the United States, and shall proceed in the same manner;
20 and in addition shall have jurisdiction for the naturalization
21 of aliens, and shall have jurisdiction of all controversies
22 where all of the parties on either side of the controversy
23 are citizens or subjects of a foreign State or States, or citi-
24 zens of a State, Territory, or District of the United States not
25 domiciled in Porto Rico, wherein the matter in dis-

1 pute exceeds, exclusive of interest or cost, the sum or value
2 of \$3,000, and of all controversies in which there is a sep-
3 arable controversy involving such jurisdictional amount, and
4 in which all of the parties on either side of such separable
5 controversy are citizens or subjects of the character afore-
6 said: *Provided*, That nothing in this Act shall be deemed
7 to impair the jurisdiction of the “district court of the
8 United States for Porto Rico” to hear and determine all
9 controversies pending in said court at the date of the ap-
10 proval of this Act: *Provided further*, That hereafter the
11 salaries of the judge and officials of the district court of
12 the United States for Porto Rico, together with the court
13 expenses, shall be paid from the United States revenues in
14 the same manner as in other United States district courts.
15 In case of vacancy or of the death, absence, or other legal
16 disability on the part of the judge of the said “district court
17 of the United States for Porto Rico,” the President of
18 the United States is authorized to designate one of the
19 judges of the Supreme Court of Porto Rico to discharge
20 the duties of judge of said court until such absence or disa-
21 bility shall be removed, and thereupon such judge so des-
22 ignated for said service shall be fully authorized and em-
23 powered to perform the duties of said office during such
24 absence or disability of such regular judge, and to sign all

1 necessary papers and records as the acting judge of said court,
2 without extra compensation.

3 SEC. 43. That the laws of the United States relating
4 to appeals, writs of error, and certiorari, removal of causes,
5 and other matters of proceedings as between the courts of the
6 United States and the courts of the several States, shall govern
7 in such matters and proceedings as between the district court
8 of the United States and the courts of Porto Rico. Regular
9 terms of said United States district court shall be held
10 at San Juan, commencing on the second Monday in April
11 and October of each year, and also at Ponce on the second
12 Monday in January of each year, and special terms may be
13 held at Mayaguez at such other stated times as said judge
14 may deem expedient. All pleadings and proceedings in said
15 court shall be conducted in the English language. The
16 said district court shall be attached to and included in
17 the third circuit of the United States, with the right of ap-
18 peal and review by said circuit court of appeals in all cases
19 where the same would lie from any district court to a circuit
20 court of appeals of the United States.

21 SEC. 44. That writs of error and appeals from the final
22 judgments and decrees of the Supreme Court of and the
23 United States District Court for Porto Rico may be taken
24 and prosecuted to the Supreme Court of the United States
25 in any case wherein is involved the validity of any copyright,

1 or in which is drawn in question the validity of a treaty or
2 statute of or authority exercised under the United States, or
3 wherein the Constitution of the United States or a treaty
4 thereof or an Act of Congress is brought in question and the
5 right claimed thereunder is denied without regard to the
6 sum or value of the matter in dispute, and in all other cases
7 in which the sum or value of the matter in dispute, exclusive
8 of costs, to be ascertained by the oath of either party or of
9 other competent witnesses exceeds the sum or value of
10 \$5,000. Such writs of error and appeals shall be taken
11 within the same time, in the same manner, and under the
12 same regulations as writs of error and appeals are taken to
13 the Supreme Court of the United States from the district
14 courts.

15 SEC. 45. 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

1 the laws of Congress regulating the same in United States
2 courts is so far as locally applicable.

3 SEC. 46. That all such fees, fines, costs, and forfeitures
4 as would be deposited to the credit of the United States if
5 collected and paid into a district court of the United States
6 shall become revenues of the United States if collected and
7 paid into the District Court of the United States for Porto
8 Rico.

9 SEC. 47. That the Attorney General of the United
10 States shall from time to time determine the salaries of all
11 officials and assistants appointed by the United States Dis-
12 trict Court, including the clerk, his deputies, interpreter,
13 stenographer, and other officials and employees, the same
14 to be paid by the United States as other salaries and ex-
15 penses of like character in United States courts.

16 SEC. 48. That jurors and witnesses in the District
17 Court of the United States for Porto Rico shall be entitled
18 to and receive 15 cents for each mile necessarily traveled
19 over any stage line or by private conveyance and 10 cents
20 for each mile over any railway in going to and returning
21 from said courts. But no constructive or double mileage
22 fees shall be allowed by reason of any person being sum-
23 moned both as witness and juror, or as witness in two or
24 more cases pending in the same court and triable at the
25 same term thereof. Such jurors shall be paid \$2 per day,

1 and such witnesses \$1 per day, while in attendance upon
2 the court.

3 SEC. 49. That the supreme and district courts of Porto
4 Rico and the respective judges thereof may grant writs of
5 habeas corpus in all cases in which the same are grantable
6 by the judges of the district courts of the United States, and
7 the district courts may grant writs of mandamus in all proper
8 cases.

9 SEC. 50. That hereafter all judges, marshals, and sec-
10 retaries of courts now established or that may hereafter be
11 established in Porto Rico, and whose appointment by the
12 President is not provided for by law, shall be appointed by
13 the governor, by and with the advice and consent of the
14 Senate of Porto Rico.

15 SEC. 51. That, except as in this Act otherwise pro-
16 vided, the salaries of all the officials of Porto Rico not
17 appointed by the President, including deputies, assistants,
18 and other help, shall be such and be so paid out of the
19 revenues of Porto Rico as shall from time to time be deter-
20 mined by the Legislature of Porto Rico and approved by
21 the governor; and if the legislature shall fail to make an
22 appropriation for such salaries, the salaries so fixed shall
23 be paid without the necessity of further appropriations there-
24 for. The salaries of all officers and all expenses of the
25 offices of the various officials of Porto Rico appointed as

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

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

15 SEC. 52. That the provisions of the foregoing section
16 shall not apply to municipal officials; their salaries and the
17 compensation of their deputies, assistants, and other help, as
18 well as all other expenses incurred by the municipalities,
19 shall be paid out of the municipal revenues in such manner as
20 the legislature shall provide.

21 SEC. 53. That wherever in this Act officers of the gov-
22 ernment are provided for under the same names as in the
23 heretofore existing Acts of Congress affecting Porto Rico, the
24 present incumbents of those offices shall continue in office in
25 accordance with the terms and at the salaries prescribed by

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

5 SEC. 54. That any bureau or office belonging to any of
6 the regular departments of the government, or hereafter
7 created, or not assigned, may be transferred or assigned to
8 any department by the governor upon the approval of the
9 President of the United States.

10 SEC. 55. That deeds and other instruments affecting
11 land situate in the District of Columbia, or any other Terri-
12 tory of the United States, may be acknowledged in Porto
13 Rico before any notary public appointed therein by proper
14 authority, or any officer therein who has ex officio the
15 powers of a notary public: *Provided*, That the certificate
16 by such notary shall be accompanied by the certificate of
17 the executive secretary of Porto Rico to the effect that the
18 notary taking such acknowledgment is in fact such notarial
19 officer.

20 SEC. 56. That nothing in this Act shall be deemed to
21 impair or interrupt the jurisdiction of existing courts over
22 matters pending therein upon the approval of this Act,
23 which jurisdiction is in all respects hereby continued, the
24 purpose of this Act being to preserve the integrity of all
25 of said courts and their jurisdiction until otherwise pro-

1 vided by law, except as in this Act otherwise specifically
2 provided.

3 SEC. 57. That this Act shall take effect upon approval,
4 but until its provisions shall severally become operative, as
5 hereinbefore provided. the corresponding legislative and
6 executive functions of the government in Porto Rico shall
7 continue to be exercised and in full force and operation as
8 now provided by law; and the Executive Council shall,
9 until the assembly and organization of the Legislature of
10 Porto Rico as herein provided, consist of the attorney gen-
11 eral, the treasurer, the commissioner of the interior, the com-
12 missioner of education, the commissioner of health, and
13 the commissioner of agriculture and labor, and the five
14 additional members as now provided by law. And any
15 functions assigned to the Senate of Porto Rico by the pro-
16 visions of this Act shall, until this said senate has assembled
17 and organized as herein provided, be exercised by the Ex-
18 ecutive Council as thus constituted.

19 SEC. 58. That the laws and ordinances of Porto Rico
20 now in force shall continue in force and effect, except as
21 altered, amended, or modified herein, until altered, amended,
22 or repealed by the legislative authority herein provided for
23 Porto Rico or by Act of Congress of the United States; and
24 such legislative authority shall have power, when not incon-
25 sistent with this Act, by due enactment to amend, alter,

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

4 SEC. 59. That all laws or parts of laws applicable to
5 Porto Rico not in conflict with any of the provisions of this
6 Act, including the laws relating to tariffs, customs, and duties
7 on importations into Porto Rico prescribed by the Act of
8 Congress entitled "An Act temporarily to provide revenues
9 and a civil government for Porto Rico, and for other pur-
10 poses," approved April twelfth, nineteen hundred, are hereby
11 continued in effect, and all laws and parts of laws inconsistent
12 with the provisions of this Act are hereby repealed.

UNION CALENDAR NO. 149.

63D CONGRESS, }
2D SESSION. }

H. R. 14866.

[Report No. 461.]

A BILL

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

By Mr. JONES.

MARCH 20, 1914.—Referred to the Committee on In-
sular Affairs and ordered to be printed.

MARCH 26, 1914.—Committed to the Committee of the
Whole House on the state of the Union and or-
dered to be printed.