

63D CONGRESS,  
2D SESSION.

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# H. R. 14694.

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IN THE HOUSE OF REPRESENTATIVES.

MARCH 17, 1914.

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

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## A BILL

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

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled.*

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

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

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

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

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

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

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

19 That no person shall be imprisoned for debt.

20 That the privilege of the writ of habeas corpus shall not  
21 be suspended, unless when in case of rebellion, insurrection,  
22 or invasion the public safety may require it, in either of  
23 which events the same may be suspended by the President,  
24 or by the governor, whenever during such period the neces-  
25 sity for such suspension shall 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 SEC. 3. That no export duties shall be levied or col-  
17 lected on exports from Porto Rico, but taxes and assess-  
18 ments on property and license fees for franchises, privileges,  
19 and concessions may be imposed for the purposes of the  
20 insular and municipal governments, respectively, as may be  
21 provided and defined by the Legislature of Porto Rico; and  
22 when necessary to anticipate taxes and revenues, bonds, and  
23 other obligations may be issued by Porto Rico or any  
24 municipal government therein as may be provided by law  
25 and to protect the public credit: *Provided, however, That*

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

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

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

1 decision to do so within six months of the taking effect  
2 of this Act before the district court in the district in  
3 which he resides, the declaration to be in form as follows:

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

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

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

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

1   terests or property which may be needed for public purposes  
2   by the United States.

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



1 empower the Secretary of War, under certain restrictions, to  
2 authorize the construction, extension, and maintenance of  
3 wharves, piers, and other structures on lands underlying har-  
4 bor areas and navigable streams and bodies of water in or  
5 surrounding Porto Rico and the islands adjacent thereto," and  
6 all other laws and parts of laws in conflict with this Act be,  
7 and the same are, hereby repealed.

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

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

21       SEC. 11. That all reports required by law to be made  
22 by the governor, or heads of departments to the United  
23 States shall hereafter be made to an executive depart-  
24 ment of the Government of the United States to be

1 designated by the President, and the President is hereby  
2 authorized to place all matters pertaining to the government  
3 of Porto Rico in the jurisdiction of such department.

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

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

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

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

18       Heads of departments shall reside in Porto Rico during  
19 their official incumbency.

20       The heads of departments shall collectively form a coun-  
21 cil to the governor, known as the executive council. They  
22 shall perform under the general supervision of the governor  
23 the duties hereinafter prescribed, or which may hereafter  
24 be prescribed by law, and such other duties, not inconsis-  
25 tent with law, as the governor, with the approval of the

1 President, may assign to them; and they shall make annual  
2 and such other reports to the governor as he may require,  
3 which shall be transmitted to the executive department of the  
4 Government of the United States to be designated by the  
5 President as herein provided.

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

18       SEC. 15. That the treasurer shall give bond, approved  
19 as to form by the attorney general of Porto Rico, in such  
20 sum as the legislature may require, not less, however,  
21 than the sum of \$125,000, with surety approved by the  
22 governor, and he shall collect and be the custodian of  
23 public funds, and shall disburse the same when appropri-  
24 ated by law, on warrants signed by the auditor and coun-  
25 tersigned by the governor, and perform such other duties

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

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

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

23       SEC. 18. That the commissioner of agriculture and  
24 labor shall have general charge of such bureaus and branches  
25 of government as shall be legally constituted for the study,

1 advancement, and benefit of agricultural and other industries  
2 and of labor, and shall perform such other duties as may be  
3 prescribed by law.

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

8       SEC. 20. That there shall be appointed by the Presi-  
9 dent an auditor at an annual salary of \$7,500, who shall  
10 examine, audit, and settle all accounts pertaining to the reve-  
11 nues and receipts from whatever source of the government  
12 of Porto Rico and of the municipal governments of Porto  
13 Rico, including public trust funds and funds derived from bond  
14 issues; and audit, in accordance with law and administrative  
15 regulations, all expenditures of funds or property pertaining  
16 to or held in trust by the government of Porto Rico or the  
17 municipalities thereof. He shall perform a like duty with  
18 respect to all government branches.

19       He shall keep the general accounts of the government  
20 and preserve the vouchers pertaining thereto.

21       It shall be the duty of the auditor to bring to the atten-  
22 tion of the proper administrative officer expenditures of funds  
23 or property which, in his opinion, are irregular, unnecessary,  
24 excessive, or extravagant.

1       There shall be a deputy auditor appointed in the same  
2 manner as the auditor, at an annual salary of \$4,000. The  
3 deputy auditor shall sign such official papers as the auditor  
4 may designate and perform such other duties as the auditor  
5 may prescribe, and in case of the death, resignation, sickness,  
6 or other absence of the auditor from his office, from any  
7 cause, the deputy auditor shall have charge of such office.  
8 In case of the absence from duty, from any cause, of both the  
9 auditor and the deputy auditor, the Governor of Porto Rico  
10 may designate an assistant, who shall have charge of the  
11 office.

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

24       The decisions of the auditor shall be final, except that  
25 appeal therefrom may be taken by the party aggrieved



1 or the head of the department concerned within one year,  
2 in the manner hereinafter prescribed. The auditor shall,  
3 except as hereinafter provided, have like authority as that  
4 conferred by law upon the several auditors of the United  
5 States and the Comptroller of the United States Treasury  
6 and is authorized to communicate directly with any person  
7 having claims before him for settlement, or with any depart-  
8 ment, officer, or person having official relations with his  
9 office.

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

20 In the execution of their duties the auditor and the  
21 deputy auditor are authorized to summon witnesses, ad-  
22 minister oaths, and to take evidence, and, in the pursuance  
23 of these provisions, may issue subpoenas and enforce the  
24 attendance of witnesses.

1       The office of the auditor shall be under the general  
2 supervision of the governor and shall consist of the auditor  
3 and deputy auditor and such necessary assistants as may  
4 be prescribed by law.

5       SEC. 21. That any person aggrieved by the action or  
6 decision of the auditor in the settlement of his account or  
7 claim may, within one year, take an appeal in writing to  
8 the governor, which appeal shall specifically set forth the  
9 particular action of the auditor to which exception is taken,  
10 with the reason and authorities relied on for reversing such  
11 decision. The decision of the governor in such case shall be  
12 final and conclusive.

13       SEC. 22. That there shall be appointed by the gov-  
14 ernor, by and with the advice and consent of the senate of  
15 Porto Rico, an executive secretary at an annual salary of  
16 \$4,000, who shall record and preserve the minutes and pro-  
17 ceedings of the public service commission hereinafter pro-  
18 vided for and the laws enacted by the legislature and all  
19 acts and proceedings of the governor, and promulgate all  
20 proclamations and orders of the governor and all laws enacted  
21 by the legislature, and perform such other duties as may be  
22 assigned to him by the Governor of Porto Rico.

23       SEC. 23. That the Governor of Porto Rico, within sixty  
24 days after the end of each session of the legislature, shall  
25 transmit to the executive department of the Government of

1 the United States, to be designated as herein provided for,  
2 which shall in turn transmit the same to the Congress of the  
3 United States, copies of all laws enacted during the session.

4       SEC. 24. That the President may from time to time  
5 designate the head of an executive department of Porto Rico  
6 to act as governor in the case of a vacancy, the temporary  
7 removal, resignation, or disability of the governor, or his  
8 temporary absence, and the head of the department thus des-  
9 igned shall exercise all the powers and perform all the  
10 duties of the governor during such vacancy, disability, or  
11 absence.

12       SEC. 25. That all local legislative powers in Porto  
13 Rico, except as herein otherwise provided, shall be vested in  
14 a legislature which shall consist of two houses, one the senate  
15 and the other the house of representatives, and the two  
16 houses shall be designated "the Legislature of Porto Rico."

17       SEC. 26. That the Senate of Porto Rico shall consist of  
18 nineteen members elected for terms of four years by the  
19 qualified electors of Porto Rico. Each of the seven sen-  
20 atorial districts defined as hereinafter provided shall have  
21 the right to elect two senators, and in addition thereto  
22 there shall be elected five senators at large. No person  
23 shall be a member of the Senate of Porto Rico who is  
24 not over thirty years of age, and who is not able to read  
25 and write either the Spanish or English language, and

1 who has not been a resident of Porto Rico for at least two  
2 consecutive years, and, except in the case of senators at large,  
3 an actual resident of the senatorial district from which chosen  
4 for a period of at least one year prior to his election, and who  
5 does not own in his individual right taxable property in  
6 Porto Rico to the value of not less than \$2,500. Except as  
7 herein otherwise provided, the senate of Porto Rico shall  
8 exercise all of the purely legislative powers and functions  
9 heretofore exercised by the executive council, including con-  
10 firmation of appointments; but appointments made while the  
11 senate is not in session shall be effective either until disap-  
12 proved or until the next adjournment of the senate. In  
13 electing the five senators at large each elector shall be per-  
14 mitted to vote for but one candidate, and the five candidates  
15 receiving the largest number of votes shall be elected.

16       SEC. 27. That the House of Representatives of Porto  
17 Rico shall consist of thirty-nine members elected quadren-  
18 nially by the qualified electors of Porto Rico, as hereinafter  
19 provided. Each of the representative districts hereinafter  
20 provided for shall have the right to elect one representative,  
21 and in addition thereto there shall be elected four repre-  
22 sentatives at large. No person shall be a member of the  
23 house of representatives who is not over twenty-five years  
24 of age, and who is not able to read and write either the  
25 Spanish or English language, and who does not own in his

1 individual right taxable property, real or personal, situated  
2 in Porto Rico, and except in the case of representative at  
3 large, who has not been a bona fide resident of the district  
4 from which elected for at least one year prior to his election.  
5 In electing the four representatives at large, each elector  
6 shall be permitted to vote for but one candidate, and the  
7 four candidates receiving the largest number of votes shall  
8 be elected.

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

1 make their report within thirty days after the approval of  
2 this Act, which report, when approved by the governor, shall  
3 be final.

4       SEC. 29. That the next election in Porto Rico shall be  
5 held at the time and in the manner now provided by law,  
6 and that there shall then be chosen senators and representa-  
7 tives as herein provided. Thereafter elections shall be held  
8 only on such days and under such regulations as to ballots  
9 and voting as may be prescribed by the Legislature of  
10 Porto Rico.

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

20       SEC. 31. That members of the Senate and House of  
21 Representatives of Porto Rico shall receive compensation at  
22 the rate of \$7 per day while in session, and mileage for each  
23 session at the rate of 10 cents per kilometer for each kilo-  
24 meter actually and necessarily traveled in going from their  
25 legislative districts to the capital and therefrom to their

1 places of residence in their districts by the usual routes of  
2 travel.

3       SEC. 32. That the senate and house of representatives,  
4 respectively, shall be the sole judges of the elections, returns,  
5 and qualifications of their members, and they shall have  
6 and exercise all the powers with respect to the conduct of  
7 their proceedings that usually pertain to parliamentary leg-  
8 islative bodies. Both houses shall convene at the capital  
9 on the second Monday in January following the next elec-  
10 tion and organize by the election of a speaker or a pre-  
11 siding officer, a clerk, and a sergeant at arms for each house,  
12 and such other officers and assistants as may be required.

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

1        SEC. 34. That the enacting clause of the laws shall  
2 be as to acts, "Be it enacted by the Legislature of Porto  
3 Rico," and as to joint resolutions, "Be it resolved by the  
4 Legislature of Porto Rico." All bills and joint resolutions  
5 may originate in either house. The general appropriation  
6 bill may be prepared by the governor and shall be intro-  
7 duced as prepared or approved by him within the first  
8 ten days of the session of the legislature, but shall be sub-  
9 ject to amendment, as in the case of any other bill. No bill  
10 shall become a law until it be passed in each house by a  
11 majority vote of all of the members belonging to such house  
12 and be approved by the governor within ten days there-  
13 after. If when a bill that has been passed is presented  
14 to the governor for his signature he approves the same, he  
15 shall sign it, or if not, he shall return it, with his objections,  
16 to that house in which it originated, which house shall  
17 enter his objections at large on its journal. If any bill  
18 presented to the governor contains several items of appro-  
19 priation of money, he may object to one or more of such  
20 items while approving of the other portion of the bill. In  
21 such case he shall append to the bill, at the time of signing  
22 it, a statement of the items to which he objects; and the  
23 appropriation so objected to shall not take effect. If any  
24 bill shall not be returned by the governor within ten days  
25 (Sundays excepted) after it shall have been presented



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

22       SEC. 35. That the qualified electors of Porto Rico,  
23 after the general election for nineteen hundred and fourteen,

1 and for any election whatsoever, shall consist of those citi-  
2 zens already registered as voters under the laws of Porto  
3 Rico, and of those that will be thereafter registered in ac-  
4 cordance with the terms of this Act and of the laws of  
5 Porto Rico. That after the approval of this Act no person  
6 shall be allowed to register as a voter in Porto Rico who is  
7 not a citizen of the United States, over twenty-one years of  
8 age, and who is not able to read and write, or on the date  
9 of registration shall not own taxable real estate in his own  
10 right or name, either personally or as a bona fide member of  
11 a firm or copartnership.

12       SEC. 36. That the qualified electors of Porto Rico  
13 shall, at the general election in nineteen hundred and four-  
14 teen, and every four years thereafter, choose a resident  
15 commissioner to the United States, whose term of office shall  
16 be four years from the fourth of March following, and  
17 who shall be entitled to receive official recognition as such  
18 commissioner by all of the departments of the Govern-  
19 ment of the United States, upon presentation, through  
20 the Department of State, of a certificate of election of the  
21 Governor of Porto Rico. The Resident Commissioner  
22 shall receive a salary, payable monthly by the United States,  
23 of \$7,500 per annum. Such commissioner shall be allowed  
24 the same sum for stationery and for the pay of necessary  
25 clerk hire as is now allowed to Members of Congress of

1 the United States; and he shall be allowed the sum of \$500  
2 as mileage for each session of the House of Representa-  
3 tives and the franking privilege granted Members of the  
4 House of Representatives. No person shall be eligible to  
5 election as Resident Commissioner who is not a bona fide  
6 citizen of the United States and who is not more than thirty  
7 years of age, and who does not read and write the English  
8 language.

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

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

20       SEC. 38. That all grants of franchises, rights, and privi-  
21 leges or concessions of a public or quasi public nature shall  
22 be made by a public-service commission, consisting of the  
23 Executive Council and the auditor. The said commission is  
24 also empowered and directed to discharge all the executive  
25 functions heretofore conferred by law upon the Executive

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

1 securities in pursuance thereof and turn the proceeds into the  
2 public treasury.

3       SEC. 39. That all grants of franchises, privileges, and  
4 concessions under the section last preceding shall provide  
5 that the same shall be subject to amendment, alteration,  
6 or repeal, and shall forbid the issue of stocks or bonds, ex-  
7 cept in exchange for actual cash or property at a fair valu-  
8 ation equal in amount to the par value of the stocks or  
9 bonds issued, and shall forbid the declaring of stock or bond  
10 dividends, and in the case of public-service corporations,  
11 shall provide for the effective regulation of charges thereof,  
12 and for the purchase or taking of their property by the  
13 authorities at a fair and reasonable valuation.

14       SEC. 40. That the execution of the laws of the United  
15 States relating to immigration, to tariffs, customs, and duties  
16 on importations into the United States and the regulations  
17 made pursuant thereto shall be effected in Porto Rico through  
18 officials appointed by the Governor of Porto Rico.

19       SEC. 41. That the judicial power shall be vested in  
20 the courts and tribunals of Porto Rico now established and  
21 in operation under and by virtue of existing laws. The  
22 jurisdiction of said courts and the form of procedure in  
23 them, and the various officers and attachés thereof, shall  
24 also continue to be as now provided until otherwise provided  
25 by law: *Provided, however,* That the chief justice and asso-

1 ciate justices of the supreme court shall be appointed by  
2 the President, by and with the advice and consent of the  
3 Senate, and the Legislature of Porto Rico shall have author-  
4 ity, from time to time as it may see fit, not inconsistent  
5 with this Act, to organize, modify, or rearrange the courts  
6 and their jurisdiction and procedure, except the District  
7 Court of the United States for Porto Rico.

8       SEC. 42. That Porto Rico shall constitute a judicial  
9 district to be called "the district of Porto Rico." The  
10 President, by and with the advice and consent of the Sen-  
11 ate, shall appoint one district judge who shall as to pay,  
12 tenure, retirement, and allowances be on the same footing  
13 as other United States district judges. There shall be  
14 appointed in like manner a district attorney, whose salary  
15 shall be \$5,000 per annum, and a marshal for said district,  
16 whose salary shall be \$3,000 per annum, each for a term  
17 of four years unless sooner removed by the President. The  
18 district court for said district shall be called "the district  
19 court of the United States for Porto Rico," and shall have  
20 power to appoint all necessary officials and assistants, includ-  
21 ing the clerk, interpreter, and such commissioners as may  
22 be necessary, who shall be entitled to the same fees and  
23 have like powers and duties as are exercised and performed  
24 by United States commissioners. Such courts shall have  
25 jurisdiction of all cases cognizable in the district courts of

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

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

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



1 where the same would lie from any district court to a circuit  
2 court of appeals of the United States.

3       SEC. 44. That writs of error and appeals from the final  
4 judgments and decrees of the Supreme Court of and the  
5 United States District Court for Porto Rico may be taken  
6 and prosecuted to the Supreme Court of the United States  
7 in any case wherein is involved the validity of any copyright,  
8 or in which is drawn in question the validity of a treaty or  
9 statute of or authority exercised under the United States, or  
10 wherein the Constitution of the United States or a treaty  
11 thereof or an Act of Congress is brought in question and the  
12 right claimed thereunder is denied without regard to the  
13 sum or value of the matter in dispute, and in all other cases  
14 in which the sum or value of the matter in dispute, exclusive  
15 of costs, to be ascertained by the oath of either party or of  
16 other competent witnesses exceeds the sum or value of  
17 \$5,000. Such writs of error and appeals shall be taken  
18 within the same time, in the same manner, and under the  
19 same regulations as writs of error and appeals are taken to  
20 the Supreme Court of the United States from the district  
21 courts.

22       SEC. 45. That the qualifications of jurors as fixed by  
23 the local laws of Porto Rico shall not apply to jurors selected  
24 to serve in the District Court of the United States for Porto

1 Rico; but the qualifications required of jurors in said court  
2 shall be that each shall be of the age of twenty-one years,  
3 and not over sixty-five years, a resident of Porto Rico for  
4 not less than one year, and have a sufficient knowledge of  
5 the English language to enable him to serve as a juror; they  
6 shall also be citizens of the United States. Juries for the  
7 said court shall be selected and drawn in accordance with  
8 the laws of Congress regulating the same in United States  
9 courts is so far as locally applicable.

10       SEC. 46. That all such fees, fines, costs, and forfeitures  
11 as would be deposited to the credit of the United States if  
12 collected and paid into a district court of the United States  
13 shall become revenues of the United States if collected and  
14 paid into the District Court of the United States for Porto  
15 Rico.

16       SEC. 47. That the Attorney General of the United  
17 States shall from time to time determine the salaries of all  
18 officials and assistants appointed by the United States Dis-  
19 trict Court, including the clerk, his deputies, interpreter,  
20 stenographer, and other officials and employees, the same  
21 to be paid by the United States as other salaries and ex-  
22 penses of like character in United States courts.

23       SEC. 48. That jurors and witnesses in the District  
24 Court of the United States for Porto Rico shall be entitled  
25 to and receive 15 cents for each mile necessarily traveled

1 over any stage line or by private conveyance and 10 cents  
2 for each mile over any railway in going to and returning  
3 from said courts. But no constructive or double mileage  
4 fees shall be allowed by reason of any person being sum-  
5 moned both as witness and juror, or as witness in two or  
6 more cases pending in the same court and triable at the  
7 same term thereof. Such jurors shall be paid \$2 per day,  
8 and such witnesses \$1 per day, while in attendance upon  
9 the court.

10 SEC. 49. That the supreme and district courts of Porto  
11 Rico and the respective judges thereof may grant writs of  
12 habeas corpus in all cases in which the same are grantable  
13 by the judges of the district courts of the United States, and  
14 the district courts may grant writs of mandamus in all proper  
15 cases.

16 SEC. 50. That hereafter all judges, marshals, and sec-  
17 retaries of courts now established or that may hereafter be  
18 established in Porto Rico, and whose appointment by the  
19 President is not provided for by law, shall be appointed by  
20 the governor, by and with the advice and consent of the  
21 Senate of Porto Rico.

22 SEC. 51. That, except as in this Act otherwise pro-  
23 vided, the salaries of all the officials of Porto Rico not  
24 appointed by the President, including deputies, assistants,  
25 and other help, shall be such and be so paid out of the

1 revenues of Porto Rico as shall from time to time be deter-  
2 mined by the Legislature of Porto Rico and approved by  
3 the governor; and if the legislature shall fail to make an  
4 appropriation for such salaries, the salaries so fixed shall  
5 be paid without the necessity of further appropriations there-  
6 for. The salaries of all officers and all expenses of the  
7 offices of the various officials of Porto Rico appointed as  
8 herein provided by the President shall also be paid out of  
9 the revenues of Porto Rico, on warrant of the auditor,  
10 countersigned by the governor. The annual salaries of the  
11 following-named officials appointed by the President and so  
12 to be paid shall be: The governor, \$10,000; in addition  
13 thereto he shall be entitled to the occupancy of the buildings  
14 heretofore used by the chief executive of Porto Rico, with  
15 the furniture and effects therein, free of rental; heads of  
16 executive departments, \$7,500; chief justice of the supreme  
17 court, \$7,500; associate justices of the supreme court,  
18 \$6,500 each.

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

1           SEC. 53. That wherever in this Act officers of the gov-  
2 ernment are provided for under the same names as in the  
3 heretofore existing Acts of Congress affecting Porto Rico, the  
4 present incumbents of those offices shall continue in office in  
5 accordance with the terms and at the salaries prescribed by  
6 this Act. The office of secretary of Porto Rico is hereby  
7 abolished. Authority is given to the respective appointing  
8 authorities to appoint and commission persons to fill the new  
9 offices created by this Act.

10           SEC. 54. That any bureau or office belonging to any of  
11 the regular departments of the government, or hereafter  
12 created, or not assigned, may be transferred or assigned to  
13 any department by the governor upon the approval of the  
14 President of the United States.

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

1        SEC. 56. That nothing in this Act shall be deemed to  
2 impair or interrupt the jurisdiction of existing courts over  
3 matters pending therein upon the approval of this Act,  
4 which jurisdiction is in all respects hereby continued, the  
5 purpose of this Act being to preserve the integrity of all  
6 of said courts and their jurisdiction until otherwise pro-  
7 vided by law, except as in this Act otherwise specifically  
8 provided.

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

1       SEC. 58. That the laws and ordinances of Porto Rico  
2 now in force shall continue in force and effect, except as  
3 altered, amended, or modified herein, until altered, amended,  
4 or repealed by the legislative authority herein provided for  
5 Porto Rico or by Act of Congress of the United States; and  
6 such legislative authority shall have power, when not incon-  
7 sistent with this Act, by due enactment to amend, alter,  
8 modify, or repeal any law or ordinance, civil or criminal,  
9 continued in force by this Act as it may from time to time  
10 see fit.

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

63<sup>D</sup> CONGRESS, }  
2<sup>D</sup> SESSION. } **H. R. 14694.**

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# **A BILL**

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

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*By Mr. JONES.*

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MARCH 17, 1914.—Referred to the Committee on In-  
sular Affairs and ordered to be printed.