

IN THE HOUSE OF REPRESENTATIVES.

JANUARY 8, 1900.

Mr. LACEY 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 the district of Puerto 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 island of Puerto Rico, Vieques, and such adjacent
4 islands as were ceded to the United States by Spain under the
5 provisions of the treaty of Paris are hereby constituted the
6 district of Puerto Rico.

7 SEC. 2. That the President of the United States shall,
8 with the advice and consent of the Senate, appoint a governor
9 for said district, to hold office for the term of four years,
10 unless sooner removed by the President. The governor of
11 said district shall have power and authority to execute the
12 laws of such district, and shall have power to approve or dis-
13 approve of bills passed by the legislative assembly of said
14 district, and in case of his disapproval of any bill he shall

1 return the same to the house of the legislative assembly in
2 which the same originated, with the reasons of his disapproval,
3 and such bill shall not become operative unless it shall be
4 again passed, upon reconsideration, by a two-thirds vote of
5 each house.

6 A bill so disapproved shall be returned within ten days
7 (Sundays excepted) from its presentation to the governor, with
8 his approval, or disapproval, unless prevented by the adjourn-
9 ment of such legislative assembly. In case of the adjourn-
10 ment before the expiration of said ten days the governor may
11 approve of such bill within the ten days, in which event it
12 shall become a law; but if he shall not return such bill within
13 ten days (Sundays excepted) after it shall have been presented
14 to him, the same shall be a law in like manner as if he had
15 signed it, unless the legislative assembly shall by their ad-
16 journment prevent its return, in which case it shall not be a
17 law; but Congress reserves the power to repeal, amend, or
18 modify all statutes enacted by such legislative assembly.

19 SEC. 3. That there shall be a legislative assembly, con-
20 sisting of two chambers. One chamber of the legislative as-
21 sembly shall be called the council, and shall consist of eighteen
22 members, eight of whom shall be appointed by the President
23 and ten shall be elected as hereinafter provided.

24 The members of the council shall hold office for the
25 term of four years, and when such council is first organized it

1 shall be divided into two classes by lot, five elected and four
2 appointed members of the first class to hold office for a first
3 term of two years, and the remainder, the second class, to
4 hold office for a term of four years, so that one-half of said
5 members shall be appointed or elected every two years. In
6 case of vacancies of elected members, such vacancies to be
7 filled by appointment by the President until the vacancies can
8 be filled by a general or special election.

9 SEC. 4. That the other chamber of the legislative assem-
10 bly shall be called the house of delegates, and shall consist of
11 thirty members elected by the qualified electors of the district.

12 All bills for raising revenue shall originate in the house
13 of delegates, but the council may propose or concur with
14 amendments, as on other bills.

15 SEC. 5. That all members of the council and house of
16 delegates shall be residents of the district of Puerto Rico
17 and qualified electors thereof.

18 SEC. 6. That the governor shall designate a day for the
19 first election for members of the legislative assembly, and all
20 elections shall be by ballot, and the governor shall appoint
21 three judges and two clerks of said election for each voting
22 precinct, and shall designate the boundaries of the voting pre-
23 cincts and the hours of voting and places of election. Pro-
24 vision for subsequent elections shall be made by law by said
25 legislative assembly.

1 SEC. 7. That all male residents of the district of Puerto
2 Rico who shall have been actual residents therein for six
3 months preceding the election and who shall be able to read
4 and write in the English or Spanish language shall have the
5 right to vote at each election or at any subsequent election.

6 SEC. 8. That for the purpose of such first election the
7 governor shall divide said district of Puerto Rico into ten
8 legislative districts as nearly equal in population as may be
9 practicable, and in each of said districts there shall be elected
10 one member of the council and three members of the house
11 of delegates. The boundaries of such districts may be
12 changed by the legislative assembly.

13 SEC. 9. That a majority of each of said houses shall
14 constitute a quorum for the transaction of business.

15 SEC. 10. That said legislative assembly shall have power
16 and authority to enact laws for the government of the district,
17 and each house shall be the judge of the election and qualifi-
18 cations of its own members, but this power shall not extend
19 to the qualification of the members appointed to the council.

20 SEC. 11. That until otherwise provided by Congress, or
21 until otherwise provided by the legislative assembly of the
22 district of Puerto Rico, the laws in force applicable to Puerto
23 Rico at the time of the cession of said island and its depend-
24 encies to the United States shall remain in force, including

1 those relating to descent and distribution of estates, of accounts,
2 wills, and titles to real property.

3 SEC. 12. That the legislative assembly shall meet at the call
4 of the governor after the first election, such call to be made
5 not more than sixty days after the returns of the election shall
6 be received by the governor.

7 SEC. 13. That the legislative assembly shall have annual
8 sessions for the years anno Domini nineteen hundred, nineteen
9 hundred and one, and nineteen hundred and two, and biennially
10 thereafter, but the governor may call special sessions when
11 the public necessities in his opinion render it necessary.

12 The first session of such legislative assembly may be
13 continued for sixty days, but any succeeding regular or spe-
14 cial session shall not exceed thirty days.

15 SEC. 14. That the members of the legislative assembly
16 shall receive as full compensation for their services the sum of
17 five dollars per day, together with ten cents per mile travel
18 for the distance actually traveled from their usual places of
19 residence to the place of meeting.

20 SEC. 15. That for judicial purposes the district of Puerto
21 Rico shall be divided into twelve districts by the President,
22 and he shall, with the advice and consent of the Senate, ap-
23 point a district judge and prosecuting attorney for each of
24 said districts, who shall each hold his office for the term of
25 four years, unless sooner removed by the President.

1 SEC. 16. That the judges provided for in this Act shall
2 each receive an annual salary of three thousand dollars, pay-
3 able quarterly.

4 The prosecuting attorneys shall each receive an annual
5 salary of one thousand five hundred dollars, payable quarterly.

6 SEC. 17. That a court of appeals for said district shall
7 consist of one chief justice, who shall be appointed by and
8 with the advice and consent of the Senate, and who shall
9 hold office for the term of four years, unless sooner removed
10 by the President. Such chief justice shall designate four of
11 the district judges to sit with him as members of the court of
12 appeals, and the said court of appeals shall prepare rules
13 of procedure and practice for the court of appeals and for the
14 district courts. Such rules shall also specify the time, man-
15 ner, and proceedings upon appeals or writs of error to the
16 court of appeals, which shall have the force and effect of law
17 until modified by the legislative assembly or by Congress.

18 The assignment of district judges to duty in the court of
19 appeals shall not relieve such judges from the performance
20 of their other duties.

21 Such assignments may be changed from time to time by
22 the chief justice.

23 The chief justice may by order transfer any judge from
24 one district to another to hold court where the condition of
25 the business of the courts may in his opinion render it neces

1 sary. The chief justice shall receive an annual salary of
2 three thousand six hundred dollars, payable quarterly. In
3 case of the inability of the chief justice to perform his duties
4 he shall designate one of the members of the court of appeals
5 to perform the duties of chief justice.

6 SEC. 18. That the writ of habeas corpus may be issued by
7 the chief justice or any of the justices of the district court or
8 court of appeals. The procedure and practice under said
9 writs shall be defined by rules prepared by the court of
10 appeals, which rules shall be operative until modified by the
11 legislative assembly, by Congress, or by the court of appeals.

12 SEC. 19. That San Juan is designated as the capital and
13 seat of government of said district.

14 SEC. 20. That the time and place of holding the various
15 courts in the district shall be designated by the court of ap-
16 peals, but there shall be held at least four terms each year of
17 each of the district courts, and at least two terms each year
18 of the court of appeals.

19 SEC. 21. That the qualified electors of the district of
20 Puerto Rico shall at the first general election elect a delegate
21 in Congress, and every two years thereafter, who shall have
22 the right to a seat in the House of Representatives, but shall
23 not be permitted to vote therein, but shall have the same
24 rights provided by law for a Territorial Delegate, and the same
25 compensation, payable as now provided by law for a Territo-

1 rial Delegate. The times and places of holding subsequent
2 elections will be fixed by the legislative assembly.

3 SEC. 22. That the tariff laws and internal-revenue laws
4 of the United States are hereby extended to the district of
5 Puerto Rico. All previous tariff laws applicable to such dis-
6 trict are repealed. The Secretary of the Treasury will make
7 all needful rules and regulations necessary to carry out the
8 purposes of so much of this Act as relates to the revenues:
9 *Provided*, That no duty shall be levied on goods, wares, and
10 merchandise imported into the United States from said district,
11 nor for importation thereof from the United States to said dis-
12 trict: *And provided further*, That the provisions of the treaty
13 of Paris of eighteen hundred and ninety-eight shall in no
14 manner be impaired by this Act nor any Act of said legislative
15 assembly.

16 SEC. 23. That the President, by and with the advice and
17 consent of the Senate, shall appoint a secretary, treasurer,
18 auditor, superintendent of public instruction, commissioner of
19 internal improvements and highways, and an advocate-general,
20 to hold their offices for the term of four years, unless sooner
21 removed by the President. Each of said officers shall receive
22 an annual salary of three thousand dollars, payable quarterly.
23 The salary of the governor shall be three thousand six hundred
24 dollars per annum, payable quarterly.

25 The treasurer shall give bond in the sum of one hundred

1 thousand dollars, with security to be approved by the gov-
2 ernor.

3 The duties of the officers provided for in this section
4 shall be such as the legislative assembly may direct, and until
5 the said assembly shall so direct, the governor shall make
6 rules and regulations defining the duties of such officials.

7 SEC. 24. That all existing laws, ordinances, and regula-
8 tions for the raising of revenue for all purposes, including munici-
9 pal revenues, not repealed by this Act shall be collected until
10 otherwise provided by the legislative assembly or by Congress.

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By Mr. LACEY.

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