

1 the eleventh day of April, eighteen hundred and ninety-nine,
2 and then resided in Puerto Rico, shall be deemed and held to
3 be citizens of the United States, except such as shall have
4 elected to remain subjects of the Kingdom of Spain on or
5 before the eleventh day of April, nineteen hundred, in accord-
6 ance with the provisions of the treaty of peace between the
7 United States and Spain entered into on the eleventh day of
8 April, eighteen hundred and ninety-nine.

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15 visions hereof, until altered, amended, or repealed by the leg-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

18 SEC. 5. That the laws of the United States relating to
19 commerce, navigation, and merchant seamen are hereby
20 extended to and over the island of Puerto Rico and all said
21 adjacent islands and waters, and the Commissioner of Navi-
22 gation may make such regulations as he may deem expedient
23 for the nationalization of all vessels owned by the inhabitants
24 of the island on the eleventh day of April, eighteen hundred
25 and ninety-nine, and which continued to be so owned up to

1 the date of such nationalization, and the coasting trade
2 between the island and any other portion of the United States
3 shall be regulated in accordance with the provisions of law
4 applicable to such trade between any two great coasting dis-
5 tricts.

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

24 SEC. 7. That on and after the passage of this Act there
25 shall be collected within the island of Puerto Rico all the internal-

1 revenue taxes imposed under the provisions of the Revised
2 Statutes upon citizens of the United States living elsewhere
3 in the United States in so far as the same are locally appli-
4 cable, and all the provisions of the laws of the United States
5 providing for internal-revenue taxation and the collection
6 thereof not locally inapplicable shall be and remain in force
7 within the island of Puerto Rico until otherwise provided by
8 Congress.

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

15 SEC. 9. That all expenses that may be incurred on ac-
16 count of the government of Puerto Rico for salaries of offi-
17 cials and the conduct of their offices and departments, and all
18 expenses and obligations contracted for the improvement or
19 development of the island, and for defenses or public works
20 of any character in the island, shall be paid by the treasurer
21 of the island out of the revenues in his hands, and not to be
22 a liability in any case of the United States.

23 SEC. 10. That the Constitution and all the laws of the
24 United States locally applicable, except as hereinbefore or
25 hereinafter otherwise provided, shall have the same force and

1 effect in the island of Puerto Rico as elsewhere in the United
2 States.

3 SEC. 11. That the legislative authority hereinafter pro-
4 vided shall have power by due enactment to amend, alter,
5 modify, or repeal any law or ordinance, civil or criminal, con-
6 tinued in force by this Act as it may from time to time see
7 fit, subject in all cases, however, to the limitations and restric-
8 tions herein imposed upon the exercise of that power.

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

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

19 THE GOVERNOR.

20 SEC. 14. That the official title of the chief executive
21 officer of the island shall be "the governor of Puerto Rico."
22 He shall be appointed by the President, by and with the ad-
23 vice and consent of the Senate; he shall hold his office for a
24 term of four years and until his successor is chosen and
25 qualified, unless sooner removed by the President; he shall

1 reside in the island during his official incumbency, and shall
2 maintain his office at the seat of government; he shall not
3 at the same time hold any other office of honor or emolument
4 under the United States or any other governmental authority;
5 he may grant pardons and reprieves, and remit fines and for-
6 feitures for offenses against the laws of the island, and respites
7 for offenses against the laws of the United States until the
8 decision of the President can be ascertained; he shall com-
9 mission all officers of the island that he may be authorized to
10 appoint, and shall participate in and may veto any legislation
11 enacted by the legislative authority of the island, as herein-
12 after provided; he shall be the commander in chief of the
13 militia of the island, and shall at all times faithfully execute
14 the laws of the island, and he shall be vested with all other
15 executive power and authority hereinafter conferred.

16 THE EXECUTIVE COUNCIL.

17 SEC. 15. That there shall be appointed by the President,
18 by and with the advice and consent of the Senate, for the
19 period of four years, unless sooner removed by the President,
20 a secretary, an attorney-general, a treasurer, an auditor, a
21 commissioner of the interior, a commissioner of posts and
22 telegraphs, and a commissioner of education, each of whom
23 shall reside in the island during his official incumbency and
24 have the powers and duties hereinafter provided for them,
25 respectively, and who, together with the governor and five

1 other persons of good repute, to be appointed by the gov-
2 ernor from the native inhabitants of the island, shall constitute
3 an executive council, and in addition to the legislative duties
4 hereinafter imposed upon them as a body exercise such powers
5 and perform such duties as are hereinafter provided for them,
6 respectively.

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

18 SEC. 17. That in case of the death, removal, resignation,
19 or disability of the governor, or his temporary absence from
20 the island, the secretary shall exercise all the powers and per-
21 form all the duties of the governor during such vacancy, dis-
22 ability, or absence.

23 SEC. 18. That the attorney-general shall have all the
24 powers and discharge all the duties provided by law for United
25 States attorneys of the Territories of the United States in so

1 far as the same are locally applicable, and he shall perform
2 such other duties and make such reports to the Attorney-
3 General of the United States as that officer may require.

4 SEC. 19. That the treasurer shall be the custodian of the
5 public funds, and shall disburse the same as required by law,
6 and shall perform such other duties and make such reports to
7 the Secretary of the Treasury of the United States as that
8 officer may require.

9 SEC. 20. That the auditor shall keep full and accurate
10 accounts, showing all receipts and disbursements, and perform
11 such other duties and make such reports to the Secretary of
12 the Treasury of the United States as that officer may require.

13 SEC. 21. That the commissioner of the interior shall
14 superintend all works of a public nature, and shall have charge
15 of all public buildings, grounds, and lands, and shall execute
16 such requirements as may be imposed by law with respect
17 thereto, and shall perform such other duties and make such
18 reports and recommendations to the Secretary of the Interior
19 of the United States as that official may require.

20 SEC. 22. That the commissioner of posts and telegraphs
21 shall have charge of the postal service in the island, and shall
22 establish such routes and provide such service thereon as may
23 be approved by the Postmaster-General of the United States,
24 and he shall perform all other duties and make all other re-
25 ports that may be required by that official.

1 SEC. 23. That the commissioner of education shall su-
2 perintend public instruction throughout the island, and all
3 disbursements on account thereof must be approved by him;
4 and he shall perform such other duties and make such reports
5 as may be required by the Commissioner of Education of the
6 United States.

7 SEC. 24. That the other five members of the executive
8 council, to be appointed from natives of the island of good re-
9 pute, as hereinbefore provided, shall attend all meetings of
10 the executive council and participate in all business of every
11 character that may be transacted by it; and they shall receive
12 as compensation for their services such annual salaries as may
13 be provided by the legislative assembly.

14 HOUSE OF DELEGATES.

15 SEC. 25. That the local legislative authority for the
16 island shall consist of two houses; one the executive council,
17 as hereinbefore constituted, and the other a house of delegates,
18 to consist of thirty-five members elected biennially by the
19 qualified voters of the island, as hereinafter provided; and the
20 two houses thus constituted shall be designated "the legisla-
21 tive assembly of the island of Puerto Rico, United States of
22 America."

23 SEC. 26. That for the purposes of such elections, and for
24 judicial and other governmental purposes, the island shall be

1 divided by the executive council into five districts, composed
2 of contiguous territory and as nearly equal as may be in popu-
3 lation, and each district shall be entitled to seven members of
4 the house of delegates.

5 **ELECTION OF DELEGATES.**

6 **SEC. 27.** That the first election for delegates shall be
7 held on such date and under such regulations as to ballots and
8 voting as the executive council may prescribe, and at such
9 elections the voters of each legislative district shall choose
10 seven delegates to represent them in the house of delegates
11 from the date of their election and qualification until two years
12 from and after the first day of January next ensuing; of all
13 which due notice shall be given by publication in at least
14 one newspaper circulating in the district, or, in default of
15 such newspaper, by printed notices distributed and posted
16 throughout the district as the executive council may pre-
17 scribe. At such elections all citizens of the island shall
18 be allowed to vote who possess the qualifications of voters
19 under the laws now in force in the island, subject to such
20 regulations and restrictions as to registration and otherwise
21 as may be now provided by law or as may be prescribed by
22 the executive council. The house of delegates so chosen shall
23 convene at the capital and organize by the election of a
24 speaker, a clerk, a sergeant at arms, and such other officers
25 and assistants as it may require, at such time as may be des-

1 ignated by the executive council; but it shall not continue in
2 session longer than sixty days in any one year, unless called
3 by the governor to meet in extraordinary session. The en-
4 acting clause of the laws shall be, "Be it enacted by the leg-
5 islative assembly of the island of Puerto Rico, United States
6 of America;" and each member of the house of delegates
7 shall be paid for his services at the rate of five dollars per
8 day for each day's attendance while the house is in session.

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

12 SEC. 28. That the house of delegates shall be the sole
13 judge of the qualifications of its members, and shall have and
14 exercise all the powers with respect to the conduct of its pro-
15 ceedings that usually appertain to parliamentary legislative
16 bodies. No person shall be eligible to membership in the
17 house of delegates who is not twenty-five years of age and
18 able to read and write either the Spanish or the English lan-
19 guage, or who is not possessed in his own right of property,
20 real or personal, situated in the island of the value of at least
21 two thousand dollars.

22 SEC. 29. That all laws enacted may originate in either
23 body, but no bill shall become a law unless it may be passed
24 in each body by a majority vote of all the members belong-
25 ing to such body and be approved by the governor within

1 as promulgated by Brigadier-General Davis, United States
2 Volunteers, August sixteenth, eighteen hundred and ninety-
3 nine, and the laws and ordinances of the island and the
4 municipalities thereof in force, so far as the same are not in
5 conflict herewith or with the Constitution of the United
6 States, all which courts and tribunals are hereby continued.
7 The jurisdiction of said courts and the form of procedure in
8 them, and the various officials and attachés thereof, respec-
9 tively, shall be the same as defined and prescribed in and
10 by said laws and ordinances, and said General Orders
11 Numbered One hundred and eighteen, until other-
12 wise provided by law: *Provided, however,* That the chief-
13 justice and associate justices of the supreme court and the
14 marshal thereof shall be appointed by the President, by and
15 with the advice and consent of the Senate, and the judges
16 and all other officials and attachés of all the other courts shall
17 be chosen as may be directed by the legislative assembly of
18 the island, which shall have authority to legislate from time
19 to time as it may see fit with respect to said courts, and any
20 others they may deem it advisable to establish, their organi-
21 zation, the number of judges and officials and attachés for each,
22 their jurisdiction, their procedure, and all other matters affect-
23 ing them.

24 SEC. 32. That the island shall be for judicial purposes
25 designated "The District of Puerto Rico," and shall be

1 attached to and be a part of the fifth judicial circuit of the
2 United States; and the marshal of the supreme court and
3 the attorney-general, appointed as hereinbefore provided, shall
4 have authority and jurisdiction to discharge their duties
5 throughout the island, and shall be allowed such deputies,
6 assistants, and other help as may be approved by the Attor-
7 ney-General of the United States.

8 SEC. 33. That writs of error and appeals from the final
9 decisions of the supreme court of the island shall be allowed
10 and may be taken to the Supreme Court of the United States
11 in the same manner and under the same regulations and in
12 the same cases as from the supreme courts of the Territories
13 of the United States; and such writs of error and appeal shall
14 be allowed in all cases where the Constitution of the United
15 States, or a treaty thereof, or Acts of Congress are brought
16 in question; and the supreme and district courts of the island
17 and the respective judges thereof may grant writs of habeas
18 corpus in all cases in which the same are grantable by the
19 judges of the United States in the District of Columbia. All
20 proceedings in the Supreme Court of the United States shall
21 be conducted in the English language.

22 SEC. 34. That the salaries of all officials of the island
23 not appointed by the President, including deputies, assistants,
24 and other help, shall be such, and be so paid out of the reve-
25 nues of the island as the executive council shall from time to

1 time determine: *Provided, however,* That the salary of no
 2 officer shall be either increased or diminished during his term
 3 of office. The salaries of all officers and all expenses of the
 4 offices of the various officials for the island, appointed as
 5 herein provided by the President, including deputies, assist-
 6 ants, and other help, shall also be paid out of the revenues of
 7 the island on the warrant of the auditor, who shall pay all
 8 salaries, and also all items of official expense approved by the
 9 executive council and duly audit the same.

10 The annual salaries of the officials appointed by the Presi-
 11 dent, and so to be paid, shall be as follows:

12 The governor, dollars.

13 The secretary, dollars.

14 The attorney-general, dollars.

15 The auditor, dollars.

16 The commissioner of the interior, dollars.

17 The commissioner of posts and telegraphs, dol-
 18 lars.

19 The commissioner of education, dollars.

20 The chief-justice of the supreme court, dollars.

21 The associate justices of the supreme court
 22 (each), dollars.

23 The marshal of the supreme court, dollars.

24 SEC. 35. That the provisions of the foregoing section
 25 shall not apply to the municipal officials; their salaries and the

1 compensation of their deputies, assistants, and other help, as
2 well as all other expenses incurred by the municipalities, shall
3 be paid out of the municipal revenues in such manner as the
4 legislative assembly shall provide.

5 SEC. 36. That no export duties shall be levied or col-
6 lected on exports from the island; but taxes and assessments
7 on property, and license fees for franchises, privileges, and
8 concessions may be imposed for the purposes of the insular
9 and municipal governments, respectively, as may be provided
10 and defined by act of the legislative assembly.

11 SEC. 37. That the qualified voters of the island shall, on
12 the first Tuesday after the first Monday of November, anno
13 Domini nineteen hundred, and every two years thereafter,
14 choose one Delegate to the House of Representatives of the
15 United States, who shall be entitled to a seat, but not to a
16 vote, in that body, on the certificate of election of the gov-
17 ernor of the island: *Provided*, That no person shall be eligible
18 to such election who is not a bona fide inhabitant of the
19 island, and who is not thirty years of age and possessed of
20 property in his own right situated in the island of the value
21 of at least dollars.

22 SEC. 38. That a commission, to consist of five members,
23 at least two of whom shall be native citizens of the island,
24 shall be appointed by the President, by and with the advice
25 and consent of the Senate, to revise all the laws of the island;

1 also all the various codes of procedure and systems of municipi-
2 pal government now in force, and to frame and report such
3 legislation as may be necessary to make a simple, harmonious,
4 and economical government, establish justice and secure its
5 prompt and efficient administration, inaugurate a general
6 system of education and public instruction, provide buildings
7 and funds therefor, equalize and simplify taxation and all the
8 methods of raising revenue, and make all other provisions
9 that may be necessary to secure and extend the benefits of a
10 republican form of government as far as possible to all the
11 inhabitants of the island; and all the expenses of such com-
12 missioners, including all necessary clerks and other assistants
13 that they may employ, and a salary to each member at the
14 rate of dollars per annum, shall be allowed and paid
15 out of the insular treasury as a part of the expenses of the
16 government of the island.

A BILL

To provide a government for the island of
Puerto Rico, and for other purposes.

By **Mr. FORAKER.**

JANUARY 3, 1900.—Read twice and referred to the Com-
mittee on Pacific Islands and Puerto Rico.