

1 That in all criminal prosecutions the accused shall
2 enjoy the right to have the assistance of counsel for his
3 defense, to be informed of the nature and cause of the
4 accusation, to have a copy thereof, to have a speedy and
5 public trial, to be confronted with the witnesses against
6 him, and to have compulsory process for obtaining witnesses
7 in his favor.

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

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

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

18 That no person shall be imprisoned for debt.

19 That the privilege of the writ of habeas corpus shall
20 not be suspended, unless when, in case of rebellion, insur-
21 rection, or invasion, the public safety may require it, in either
22 of which events the same may be suspended by the Presi-
23 dent, or by the resident commissioner of the United States,
24 whenever during such period the necessity for such suspen-
25 sion shall exist.

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

3 Private property shall not be taken or damaged for
4 public use except upon payment of just compensation ascer-
5 tained in the manner provided by law.

6 Nothing contained in this Act shall be construed to
7 limit the power of the legislature to enact laws for the
8 protection of the lives, health, or safety of employees.

9 That no law granting a title of nobility shall be enacted,
10 and no person holding any office of profit or trust under
11 the government of Porto Rico shall, without the consent
12 of the Congress of the United States, accept any present,
13 emolument, office, or title of any kind whatever from any
14 king, queen, prince, or foreign State, or any officer thereof.

15 That excessive bail shall not be required, nor excessive
16 fines imposed, nor cruel and unusual punishments inflicted.

17 That the right to be secure against unreasonable
18 searches and seizures shall not be violated.

19 That no warrant for arrest or search shall issue but
20 upon probable cause, supported by oath or affirmation, and
21 particularly describing the place to be searched and the
22 persons or things to be seized.

23 That slavery shall not exist in Porto Rico.

1 That involuntary servitude, except as a punishment for
2 crime, whereof the party shall have been duly convicted,
3 shall not exist in Porto Rico.

4 That no law shall be passed abridging the freedom of
5 speech or of the press, or the right of the people peaceably
6 to assemble and petition the government for redress of
7 grievances.

8 That no law shall be made respecting an establishment
9 of religion or prohibiting the free exercise thereof, and that
10 the free exercise and enjoyment of religious profession and
11 worship without discrimination or preference shall forever
12 be allowed, and that no political or religious test other
13 than an oath to support the Constitution of the United
14 States and the laws of Porto Rico shall be required as
15 a qualification to any office or public trust under the gov-
16 ernment of Porto Rico.

17 That no public money or property shall ever be appro-
18 priated, applied, donated, or used, directly or indirectly, for
19 the use, benefit, or support of any sect, church, denomina-
20 tion, sectarian institution or association, or system of religion,
21 or for the use, benefit, or support of any priest, preacher,
22 minister, or other religious teacher or dignitary as such.
23 Contracting of polygamous or plural marriages hereafter is
24 prohibited.

1 The legislature herein provided may authorize and
2 regulate the importation, manufacture, and sale of intoxi-
3 cating liquors and drugs for medicinal, sacramental, indus-
4 trial, and scientific uses only, as well as fix the penalty
5 for the violations of the laws in respect thereto.

6 That no money shall be paid out of the treasury except
7 in pursuance of an appropriation by law and on warrant
8 drawn by the proper officer in pursuance thereof.

9 That the rule of taxation in Porto Rico shall be uniform.

10 That all money derived from any tax levied or assessed
11 for a special purpose shall be treated as a special fund in the
12 treasury and paid out for such purpose only, except upon the
13 approval of the President of the United States.

14 That eight hours shall constitute a day's work in all
15 cases of employment of laborers and mechanics by and on
16 behalf of the government of the island on public works,
17 except in cases of emergency.

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

21 SEC. 3. That no export duties shall be levied or col-
22 lected on exports from Porto Rico, but taxes and assessments
23 on property, internal revenue, and license fees, and royalties
24 for franchises, privileges, and concessions may be imposed
25 for the purposes of the insular and municipal governments,

1 respectively, as may be provided and defined by the Legis-
2 lature of Porto Rico; and when necessary to anticipate taxes
3 and revenues, bonds and other obligations may be issued
4 by Porto Rico or any municipal government therein as may
5 be provided by law and to protect the public credit:
6 *Provided, however,* That no public indebtedness of Porto
7 Rico or of any subdivision or municipality thereof shall be
8 authorized or allowed in excess of 10 per centum of the
9 aggregate tax valuation of its property, and all bonds issued
10 by the government of Porto Rico, or by its authority, shall
11 be exempt from taxation by the Government of the United
12 States, or by the government of Porto Rico or of any
13 political or municipal subdivision thereof, or by any State,
14 or by any county, municipality, or other municipal subdivi-
15 sion of any State or Territory of the United States, or by
16 the District of Columbia. In computing the indebtedness
17 of the people of Porto Rico, bonds issued by the people of
18 Porto Rico secured by an equivalent amount of bonds of
19 municipal corporations or school boards of Porto Rico shall
20 not be counted.

21 SEC. 4. That the capital of Porto Rico shall be at the
22 city of San Juan, and the seat of government shall be
23 maintained there.

24 SEC. 5. That all citizens of Porto Rico, as defined by
25 section 7 of the Act of April 12, 1900, "temporarily to

1 provide revenues and a civil government for Porto Rico,
2 and for other purposes," that also became citizens of the
3 United States by virtue of section 5 of the Act of March
4 2, 1917, or that may become such citizens of the United
5 States, shall be and are hereby held to constitute a body
6 politic under the name of The People of Porto Rico and with
7 power to sue and be sued.

8 Any person who is born in Porto Rico of an alien
9 parent and is permanently residing in that island may, if a
10 minor, upon reaching his majority or within one year there-
11 after, make a sworn declaration of allegiance to the United
12 States before the United States district court for Porto Rico,
13 setting forth therein all the facts connected with his or her
14 birth and residence in Porto Rico and accompanying due
15 proof thereof, and from and after the making of such declara-
16 tion shall be considered to be a citizen of the United States.

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

1 SEC. 7. That all property which may have been
2 acquired in Porto Rico by the United States under the ces-
3 sion of Spain in the treaty of peace entered into on the
4 10th day of December, 1898, in any public bridges, road
5 houses, water powers, highways, unnavigable streams and
6 the beds thereof, subterranean waters, mines or minerals
7 under the surface of private lands, all property which
8 at the time of the cession belonged, under the laws of
9 Spain then in force, to the various harbor works boards
10 of Porto Rico, and all the harbor shores, docks, slips, re-
11 claimed lands, and all the public lands and buildings not
12 heretofore reserved by the United States for public pur-
13 poses, is hereby placed under the control of the government
14 of Porto Rico, to be administered for the benefit of the
15 people of Porto Rico; and the Legislature of Porto Rico
16 shall have authority, subject to the limitations imposed upon
17 all its acts, to legislate with respect to all such matters as it
18 may deem advisable: *Provided*, That the President may
19 from time to time, in his discretion, convey to the people of
20 Porto Rico such lands, buildings, or interests in lands or
21 other property now owned by the United States and within
22 the territorial limits of Porto Rico as in his opinion are no
23 longer needed for purposes of the United States. And he
24 may from time to time accept by legislative grant from
25 Porto Rico any lands, buildings, or other interest or property

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

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

1 SEC. 9. That the statutory laws of the United States
2 not locally inapplicable, except as hereinbefore or herein-
3 after otherwise provided, shall have the same force and
4 effect in Porto Rico as in the United States, except the
5 internal revenue laws: *Provided, however,* That hereafter
6 all taxes collected under the internal revenue laws of the
7 United States on articles produced in Porto Rico and trans-
8 ported to the United States, or consumed in the island shall
9 be covered into the treasury of Porto Rico.

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

19 EXECUTIVE DEPARTMENT.

20 SEC. 11. That the supreme executive power shall be
21 vested in an executive officer whose official title shall be the
22 Governor of Porto Rico. He shall be elected by the quali-
23 fied electors of Porto Rico at the time and places of voting
24 for members of the legislature in general election, and shall

1 hold his office for a term of four years beginning on the
2 first Monday in March next after his election.

3 The governor shall reside in Porto Rico during his
4 official incumbency and maintain his office at the seat of
5 government. He shall have general supervision and con-
6 trol of all departments and bureaus of the government in
7 Porto Rico, so far as is not inconsistent with the provisions of
8 this Act, and shall be commander in chief of the militia.
9 He may grant pardons and reprieves and remit fines and
10 forfeitures for offenses against the laws of Porto Rico, and
11 respites for all offenses against the laws of the United States
12 until the decision of the President can be ascertained, and
13 may veto any legislation enacted as hereinafter provided.
14 He shall commission all officers that he may be authorized
15 to appoint. He shall be responsible for the faithful execu-
16 tion of the laws of Porto Rico and of the United States
17 applicable in Porto Rico, and whenever it becomes neces-
18 sary he may call upon the commanders of the military and
19 naval forces of the United States in the island, or summon
20 the posse comitatus, or call out the militia to prevent or
21 suppress lawless violence, invasion, insurrection, or rebellion,
22 and he may, in case of rebellion or invasion, or imminent
23 danger thereof, when the public safety requires it, suspend
24 the privilege of the writ of habeas corpus, or place the island
25 or any part thereof under martial law until communication

1 can be had with the President and the President's decision
2 therein made known. He shall annually, and at such other
3 times as he may be required, make official report of the
4 transactions of the government of Porto Rico to the execu-
5 tive department of the Government of the United States to
6 be designated by the President as herein provided, and his
7 said annual report shall be transmitted to Congress, and he
8 shall perform such additional duties and functions as may
9 in pursuance of law be delegated to him by the President.
10 No person shall be eligible to the office of governor who
11 is not a qualified elector, a citizen of the United States and
12 a resident of Porto Rico, born either in the United States or
13 in Porto Rico, who has not attained the age of thirty years,
14 and who does not read and write the Spanish and English
15 languages.

16 The first election of governor shall be by the members
17 composing both houses of the legislature and shall take place
18 at a special session which shall be held for that purpose thirty
19 days after this law goes into effect. Said session for the
20 purpose aforesaid shall be public and presided over by the
21 chief justice of the Supreme Court of Porto Rico. The
22 said election for governor shall be by secret ballot, each
23 member of the legislature depositing his vote in a box in the
24 presence of the chief justice. The person having the highest
25 number of votes shall be governor; but if two or more shall

1 be equal and highest in votes for the said office, the chief
2 justice shall cast the deciding vote.

3 In case of the impeachment of the governor and his
4 removal from office, death, refusal to qualify, resignation,
5 or absence from the island, the president of the Senate of
6 Porto Rico shall exercise all the power and authority apper-
7 taining to the office of governor until the governor, absent
8 or impeached, shall return or be acquitted, or until the gov-
9 ernor next regularly elected shall be duly qualified, as the
10 case may be; and for the time the president of the senate
11 shall occupy the office of governor he shall receive the same
12 compensation as shall be allowed by law to the regularly
13 elected governor: *Provided, however,* That while the presi-
14 dent of the senate substitutes for the governor he shall be
15 precluded from acting as such member of the senate.

16 In case of the impeachment of the governor and his
17 removal from office, death, refusal to qualify, or resignation,
18 the legislature shall convene in extraordinary session to fill
19 the vacancy, in the same manner as hereinbefore provided.

20 SEC. 12. That the following executive departments are
21 hereby created: A department of justice, the head of which
22 shall be designated as the attorney general; a department
23 of finance, the head of which shall be designated as the
24 treasurer; a department of interior, the head of which shall
25 be designated as the commissioner of the interior; a depart-

1 ment of education, the head of which shall be designated as
2 the commissioner of education; a department of agriculture
3 and labor, the head of which shall be designated as the com-
4 missioner of agriculture and labor; and a department of
5 health, the head of which shall be designated as the com-
6 missioner of health. The heads of the aforesaid departments
7 shall be appointed by the governor, by and with the advice
8 and consent of the Senate of Porto Rico, to hold office at
9 pleasure of the governor, and until their successors are ap-
10 pointed and qualified.

11 Heads of departments shall reside in Porto Rico during
12 their official incumbency and for at least one year prior to
13 their appointment. They may be selected from the elected
14 members of the senate and house of representatives.

15 The heads of departments shall collectively form a
16 council to the governor, known as the cabinet. They shall
17 perform, under the general supervision of the governor, the
18 duties hereinafter prescribed or which may hereafter be
19 prescribed by law, and such other duties, not inconsistent
20 with law, as the governor may assign to them; and they
21 shall make annual and such other reports to the governor
22 as he may require, copies of which shall be transmitted
23 to the executive department of the Government of the
24 United States, to be designated by the President as herein
25 provided: *Provided*, That the duties herein imposed upon

1 the heads of departments shall not carry with them any
2 additional compensation.

3 SEC. 13. That the attorney general shall have charge
4 of the administration of justice in Porto Rico; he shall be the
5 legal adviser of the governor and the heads of departments
6 and shall be responsible for the proper representation of the
7 people of Porto Rico or its duly constituted officers in all
8 actions and proceedings, civil or criminal, in the Supreme
9 Court of Porto Rico in which the people of Porto Rico shall
10 be interested or a party; and he may, if directed by the
11 governor or if in his judgment the public interest requires it,
12 represent the people of Porto Rico or its duly constituted
13 officers in any other court or before any other officer or
14 board in any action or proceeding, civil or criminal, in
15 which the people of Porto Rico may be a party or be inter-
16 ested. He shall also perform such other duties, not incon-
17 sistent herewith, as may be prescribed by law.

18 SEC. 14. 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, than
21 the sum of \$125,000, with surety or sureties approved by
22 the governor, and he shall collect and be the custodian of
23 public funds, and shall disburse the same in accordance
24 with law, on warrants signed by the auditor and counter-
25 signed by the governor, and perform such other duties as may

1 be provided by law. He may designate banking institu-
2 tions in Porto Rico and the United States as depositaries
3 of the government of Porto Rico, subject to such conditions
4 as may be prescribed by the governor, after they have filed
5 with him satisfactory evidence of their sound financial con-
6 dition and have deposited bonds of the United States or of
7 the government of Porto Rico or other security satisfactory
8 to the governor in such amounts as may be indicated
9 by him; and no banking institution shall be desig-
10 nated a depositary of the government of Porto Rico
11 until the foregoing conditions have been complied with.
12 Interest on deposits shall be required and paid into the
13 treasury.

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

21 SEC. 16. That the commissioner of education shall
22 superintend public instruction throughout Porto Rico; all
23 proposed disbursements on account thereof must be ap-
24 proved by him, and all courses of study shall be prepared
25 by him, subject to disapproval by the governor if he desires

1 to act. He shall prepare rules governing the selection
2 of teachers, and the appointments of teachers shall be sub-
3 ject to his approval, and he shall perform such other duties,
4 not inconsistent with this Act, as may be prescribed by
5 law.

6 SEC. 17. That the commissioner of agriculture and
7 labor shall have general charge of such bureaus and branches
8 of government as have been or shall be legally constituted
9 for the study, advancement, and benefit of agricultural and
10 other industries, the chief purpose of this department being
11 to foster, promote, and develop the agricultural interests
12 and the welfare of the wage earners of Porto Rico, to im-
13 prove their working conditions, and to advance their oppor-
14 tunities for profitable employment, and shall perform such
15 other duties as may be prescribed by law.

16 SEC. 18. That the commissioner of health shall have
17 charge of all matters relating to public health, sanitation, and
18 charities, except such as relate to the conduct of maritime
19 quarantine, and shall perform such other duties as may be
20 prescribed by law.

21 SEC. 19. That there shall be appointed by the Gov-
22 ernor of Porto Rico, by and with the advice and consent of
23 the senate of Porto Rico, an auditor, at an annual salary of
24 \$7,000, for a term of four years and until his successor is ap-

1 pointed and qualified, who shall examine, audit, and settle
2 all accounts pertaining to the revenues and receipts, from
3 whatever source, of the government of Porto Rico and of
4 the municipal governments of Porto Rico, including public
5 trust funds and funds derived from bond issues; and audit, in
6 accordance with law and administrative regulations, all
7 expenditures of funds or property pertaining to or held in
8 trust by the government of Porto Rico or the municipalities
9 or dependencies thereof. He shall perform a like duty with
10 respect to all government branches.

11 He shall keep the general accounts of the government
12 and preserve the vouchers pertaining thereto.

13 It shall be the duty of the auditor to bring to the atten-
14 tion of the proper administrative officer expenditures of
15 funds or property which, in his opinion, are irregular, un-
16 necessary, excessive, or extravagant.

17 In case of vacancy or of the absence from duty, from
18 any cause, of the auditor, the Governor of Porto Rico may
19 designate an assistant, who shall have charge of the office.

20 The jurisdiction of the auditor over accounts, whether
21 of funds or property, and all vouchers and records pertain-
22 ing thereto, shall be exclusive. With the approval of the
23 governor he shall, from time to time, make and promulgate
24 general or special rules and regulations not inconsistent
25 with law covering the methods of accounting for public

1 funds and property, and funds and property held in trust
2 by the government or any of its branches: *Provided*, That
3 any officer accountable for public funds or property may
4 require such additional reports or returns from his subordi-
5 nates or others as he may deem necessary for his own in-
6 formation and protection.

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

17 As soon after the close of each fiscal year as the accounts
18 of said year may be examined and adjusted, the auditors shall
19 submit to the governor an annual report of the fiscal con-
20 cerns of the Government, showing the receipts and disburse-
21 ments of the various departments and bureaus of the Govern-
22 ment and of the various municipalities, and make such other
23 reports as may be required of him by the governor or the
24 head of the executive department of the Government of the

1 United States, to be designated by the President as herein
2 provided.

3 In the execution of his duties the auditor is authorized
4 to summon witnesses, administer oaths, and to take evidence,
5 and, in the pursuance of these provisions, may issue sub-
6 pœnas and enforce the attendance of witnesses.

7 The office of the auditor shall be under the general
8 supervision of the governor and shall consist of the auditor
9 and such necessary assistants as may be prescribed by law.

10 SEC. 20. That any person aggrieved by the action or
11 decision of the auditor in the settlement of his account or
12 claim may, within one year, take an appeal in writing to the
13 governor, which appeal shall specifically set forth the par-
14 ticular action of the auditor to which exception is taken, with
15 the reason and authorities relied on for reversing such de-
16 cision. The decision of the governor in such case shall be
17 final, subject to such right of action as may be otherwise
18 provided by law.

19 SEC. 21. That there shall be appointed by the governor,
20 by and with the advice and consent of the Senate of Porto
21 Rico, an executive secretary at an annual salary of \$5,000,
22 who shall record and preserve the minutes and proceedings
23 of the public service commissioner hereinafter provided for
24 and the laws enacted by the legislature and all acts and
25 proceedings of the governor, and promulgate all proclama-

1 tions and orders of the governor and all laws enacted by the
2 legislature, and until otherwise provided by the Legislature
3 of Porto Rico perform all the duties of secretary of Porto
4 Rico as now provided by law, except as otherwise specified
5 in this Act, to perform such other duties as may be assigned
6 to him by the Governor of Porto Rico. In the event of a
7 vacancy in the office, or the absence, illness, or temporary
8 disqualification of such officer, the governor shall designate
9 some officer or employee of the government to discharge the
10 functions of said office during such vacancy, absence, illness,
11 or temporary disqualification.

12 SEC. 22. That the Governor of Porto Rico, within sixty
13 days after the end of each session of the legislature, shall
14 transmit to the executive department of the Government of
15 the United States, to be designated as herein provided for,
16 which shall in turn transmit the same to the Congress of the
17 United States, copies of all laws enacted during the session.

18 LEGISLATIVE DEPARTMENT.

19 SEC. 23. That all local legislative powers in Porto Rico,
20 except as herein otherwise provided, shall be vested in a
21 legislature, which shall consist of two houses, one the senate
22 and the other the house of representatives, and the two
23 houses shall be designated "The Legislature of Porto Rico."

24 SEC. 24. That the Senate of Porto Rico shall consist of
25 nineteen members elected for terms of four year by the

1 qualified electors of Porto Rico. Each of the seven senatorial
2 districts defined as hereinafter provided shall have the right
3 to elect two senators, and in addition thereto there shall be
4 elected five senators at large. No person shall be a member
5 of the Senate of Porto Rico who is not over thirty years
6 of age and who is not able to read and write either the
7 Spanish or English language, and who had not been a resi-
8 dent of Porto Rico for at least two consecutive years and,
9 except in the case of senators at large, an actual resident of
10 the senatorial district from which chosen for a period of at
11 least one year prior to his election. Except as herein other-
12 wise provided, the Senate of Porto Rico shall exercise all of
13 the purely legislative powers and functions that it has here-
14 tofore exercised, including confirmation of appointments; but
15 appointments made while the senate is not in session shall
16 be effective either until disapproved or until the next ad-
17 journment of the senate for the session. In electing the
18 five senators at large each elector shall be permitted to vote
19 for but one candidate, and the five candidates receiving the
20 largest number of votes shall be declared elected.

21 SEC. 25. That the House of Representatives of Porto
22 Rico shall consist of thirty-nine members, elected quadren-
23 nially by the qualified electors of Porto Rico, as hereinafter
24 provided. Each of the representative districts hereinafter
25 provided for shall have the right to elect one representative,

1 and in addition thereto there shall be elected four repre-
2 sentatives at large. No person shall be a member of the
3 house of representatives who is not over twenty-five years
4 of age and who is not able to read and write either the
5 Spanish or English language, and who has not been a resi-
6 dent of Porto Rico for at least two consecutive years prior
7 to such election. In electing the four representatives at
8 large, each elector shall be permitted to vote for but one
9 candidate, and the four candidates receiving the largest
10 number of votes shall be elected.

11 SEC. 26. That for the purpose of elections hereafter to
12 the legislature the present division of the island of Porto
13 Rico into thirty-five representative districts, composed of
14 contiguous and compact territory and established upon the
15 basis of equal population, shall be kept until otherwise pro-
16 vided by the legislature. Future division of districts shall be
17 made as nearly as practicable to conform to the topographical
18 nature of the land, with regard to roads and other means of
19 communication and to natural barriers. The legislature shall
20 also divide the island of Porto Rico into seven senatorial dis-
21 tricts, each composed of five contiguous and compact repre-
22 sentative districts, whenever the present division should be
23 deemed no longer correct.

24 SEC. 27. That the next regular election in Porto Rico
25 shall be held four years after the last election already held

1 in the island. At such election there shall be chosen the
2 governor, senators, representatives, and two Resident Com-
3 missioners to the United States, as herein provided. There-
4 after the elections shall also be held on the first Tuesday
5 after the first Monday in November: *Provided, however,*
6 That nothing herein contained shall be construed to limit
7 the right of the Legislature of Porto Rico at any time to
8 revise the boundaries of senatorial and representative dis-
9 tricts and of any municipality, or to abolish any munici-
10 pality and the officers provided therefor.

11 SEC. 28. That the term of office of senators and repre-
12 sentatives chosen shall be four years from the 2d 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 wherein
16 such vacancy occurred, under such regulations as may be
17 prescribed by law, but senators or representatives elected
18 in such cases shall hold office only for the unexpired portion
19 of the term wherein the vacancy occurred, and no senator
20 or representative shall, during the time for which he shall
21 have been elected, be appointed to any civil office under
22 the government of Porto Rico nor be appointed to any office
23 created by act of the legislature during the time for which
24 he shall have been elected until two years after his term of
25 office shall have expired.

1 SEC. 29. That members of the Senate and House of
2 Representatives of Porto Rico shall receive compensation at
3 the rate of \$5 per day and mileage for each session at the
4 rate of 10 cents per kilometer for each kilometer actually
5 and necessarily traveled in going from their legislative dis-
6 tricts to the capital and therefrom to their place of residence
7 in their districts by the usual routes of travel.

8 SEC. 30. That the senate and house of representatives,
9 respectively, shall be the sole judges of the elections, returns,
10 and qualifications of their members, and they shall have
11 and exercise all the powers with respect to the conduct of
12 their proceedings that usually pertain to parliamentary
13 legislative bodies. Both houses shall convene at the capital
14 on the second Monday in February following the next elec-
15 tion, and organize by the election of a speaker or a presiding
16 officer, a clerk, and a sergeant at arms for each house, and
17 such other officers and assistants as may be required.

18 SEC. 31. That the regular sessions of the Legislature
19 of Porto Rico, provided for by this Act, shall convene and
20 be held biennially, convening on the second Monday in
21 February of the year 1925, and on the second Monday in
22 February of each second year thereafter. The governor
23 may call special sessions of the legislature or of the senate
24 at any time when in his opinion the public interest may
25 require it, and no legislation shall be considered at such

1 session other than that specified in the call, and he shall call
2 the senate in special session at least once each year on the
3 second Monday in February of those years in which a
4 regular session of the legislature is not provided for.

5 SEC. 32. That the enacting clause of the laws shall be
6 as to acts, "Be it enacted by the Legislature of Porto Rico,"
7 and as to joint resolutions, "Be it resolved by the Legisla-
8 ture of Porto Rico." Except as hereinafter provided, bills
9 and joint resolutions may originate in either house. The
10 governor shall submit at the opening of each regular session
11 of the legislature a budget of receipts and expenditures,
12 which shall be the basis of the ensuing biennial appropria-
13 tion bill. No bill shall become a law until it be passed in
14 each house by a majority yea-and-nay vote of all of the
15 members belonging to such house and entered upon the
16 journal and be approved by the governor within ten days
17 thereafter. If when a bill that has been passed is presented
18 to the governor for his signature he approve the same, he
19 shall sign it; or if not, he shall return it, with his objections,
20 to the house in which it originated, which house shall enter
21 his objections at large on its journal and proceed to recon-
22 sider it. If, after such reconsideration, two-thirds of all
23 the members of that house shall agree to pass the same it
24 shall be sent, together with the objections, to the other house,
25 by which it shall likewise be reconsidered, and if approved

1 by two-thirds of all the members of that house it shall become
2 a law. If any bill presented to the governor contain several
3 items of appropriation of money, he may object to one or
4 more of such items, or any part or parts, portion or portions
5 thereof, while approving of the other portion of the bill. In
6 such case he shall append to the bill, at the time of signing
7 it, a statement of the items, parts, or portions thereof to
8 which he objects, and the appropriation so objected to shall
9 not take effect. If any bill shall not be returned by the
10 governor within ten days (Sundays excepted) after it shall
11 have been presented to him, it shall be a law in like manner
12 as if he had signed it, unless the legislature by adjournment
13 prevents its return, in which case it shall be a law if signed
14 by the governor within thirty days after receipt by him;
15 otherwise it shall not be a law. All laws enacted by the
16 Legislature of Porto Rico shall be reported to the Congress
17 of the United States, as provided in section 23 of this Act,
18 which hereby reserves the power and authority to annul the
19 same. If at the termination of any fiscal year the appro-
20 priations necessary for the support of the government for
21 the ensuing fiscal year shall not have been made, the several
22 sums appropriated in the last appropriation bills for the
23 objects and purposes therein specified, so far as the same
24 may be applicable, shall be deemed to be reappropriated
25 item by item; and until the legislature shall act in such behalf

1 the treasurer may, with the advice of the governor, make the
2 payments necessary for the purposes aforesaid.

3 The house of representatives shall have the sole power
4 of impeachment; but by a vote of two-thirds of all members
5 present shall be required to impeach any officer, and all
6 impeachments shall be tried by the senate. When sitting
7 for that purpose the senators shall be upon oath or affirma-
8 tion, and no person shall be convicted without the concur-
9 rence of two-thirds of the senators present. The senate may
10 adjourn to a fixed day for the trial of any impeachment, and
11 may sit for the purpose of such trial whether the house of
12 representatives be in session or not, but the time fixed for
13 such trial shall not be more than six months from the time
14 articles of impeachment shall be preferred by the house of
15 representatives. The chief justice shall preside at all trials
16 by impeachment. The governor shall be liable to impeach-
17 ment for any misdemeanor in office, but judgment in such
18 cases shall extend only to removal from office and disqualifi-
19 cation to hold any office of honor, trust, or profit under the
20 insular government; but the party convicted or acquitted
21 shall nevertheless be liable to indictment, trial, and punish-
22 ment according to law.

23 Each house shall keep a journal of its proceedings, and
24 may, in its discretion, from time to time publish the same,
25 and the yeas and nays on any question shall, on the demand

1 of one-fifth of the members present, be entered on the
2 journal.

3 The sessions of each house and of the committees of
4 the whole shall be open.

5 Neither house shall, without the consent of the other,
6 adjourn for more than three days, nor to any other place
7 than that in which the two houses shall be sitting:

8 No law shall be passed except by bill, and no bill shall
9 be so altered or amended on its passage through either house
10 as to change its original purpose.

11 No act of the legislature except the general appropria-
12 tion bills for the expenses of the government shall take effect
13 until ninety days after its passage, unless in case of emer-
14 gency (which shall be expressed in the preamble or body
15 of the act) the legislature shall by a vote of two-thirds of
16 all the members elected to each house otherwise direct. No
17 bill, except the general appropriation bill for the expenses
18 of the government only, introduced in either house of the
19 legislature after the first forty days of the session, shall be-
20 come a law.

21 No bill shall be considered or become a law unless
22 referred to a committee, returned therefrom, and printed
23 for the use of the members: *Provided*, That either house
24 may, by a majority vote, discharge a committee from the
25 consideration of a measure and bring it before the body for
26 consideration.

1 No bill, except general appropriation bills, shall be
2 passed containing more than one subject, which shall be
3 clearly expressed in its title; but if any subject shall be
4 embraced in any act which shall not be expressed in the
5 title, such act shall be void only as to so much thereof as shall
6 not be so expressed.

7 No law shall be revived, or amended, or the provi-
8 sions thereof extended or conferred by reference to its title
9 only; but so much thereof as is revived, amended, extended,
10 or conferred shall be reenacted and published at length.

11 The presiding officer of each house shall, in the pres-
12 ence of the house over which he presides, sign all bills and
13 joint resolutions passed by the legislature, after their titles
14 shall have been publicly read immediately before signing;
15 and the fact of signing shall be entered on the journal.

16 The legislature shall prescribe by law the number,
17 duties, and compensation of the officers' and employées of
18 each house; and no payment shall be made for services to
19 the legislature from the treasury, or be in any way author-
20 ized to any person, except to an acting officer or employee
21 elected or appointed in pursuance of law.

22 No bill shall be passed giving any extra compensation
23 to any public officer, servant or employee, agent or con-
24 tractor, after services shall have been rendered or con-
25 tract made.

1 Except as otherwise provided in this Act no law shall
2 extend the term of any public officer, or increase or diminish
3 his salary or emoluments after his election or appointment,
4 nor permit any officer or employee to draw compensation
5 for more than one office or position.

6 All bills for raising revenue shall originate in the house
7 of representatives, but the senate may propose or concur
8 with amendments, as in case of other bills.

9 The general appropriation bill shall embrace nothing
10 but appropriations for the ordinary expense of the execu-
11 tive, legislative, and judicial departments, interest on the
12 public debt, and for public schools. All other appropriations
13 shall be made by separate bills, each embracing but one
14 subject.

15 Every order, resolution, or vote to which the concur-
16 rence of both houses may be necessary, except on the ques-
17 tion of adjournment, or relating solely to the transaction of
18 business of the two houses, shall be presented to the gov-
19 ernor, and before it shall take effect be approved by him, or,
20 being disapproved, shall be repassed by two-thirds of both
21 houses, according to the rules and limitations prescribed in
22 case of a bill.

23 Any person who shall, directly or indirectly, offer, give,
24 or promise any money or thing of value, testimonial, privi-
25 lege, or personal advantage to any executive or judicial

1 officer or member of the legislature to influence him in the
2 performance of any of his public or official duties, shall be
3 deemed guilty of bribery and be punished by a fine not ex-
4 ceeding \$5,000, or imprisonment not exceeding five years,
5 or both.

6 The offense of corrupt solicitation of members of the
7 legislature, or of public officers of Porto Rico, or of any
8 municipal division thereof, and any occupation or practice
9 of solicitation of such members or officers to influence their
10 official action, shall be defined by law, and shall be punished
11 by fine and imprisonment.

12 In case the available revenues of Porto Rico for any
13 fiscal year, including available surplus in the insular treas-
14 ury, are insufficient to meet all the appropriations made by
15 the legislature for such year, such appropriations shall be
16 paid in the following order, unless otherwise directed by the
17 governor:

18 First class. The ordinary expenses of the legislative,
19 executive, and judicial departments of the State government,
20 and interest on any public debt, shall first be paid in full.

21 Second class. Appropriations for all institutions, such
22 as the penitentiary, insane asylum, industrial school, and
23 the like, where the inmates are confined involuntarily, shall
24 next be paid in full.

1 Third class. Appropriations for education and educa-
2 tional and charitable institutions shall next be paid in full.

3 Fourth class. Appropriations for any other officer or
4 officers, bureau, or boards shall next be paid in full.

5 Fifth class. Appropriations for all other purposes shall
6 next be paid.

7 That in case there are not sufficient revenues for any
8 fiscal year, including available surplus in the insular treas-
9 ury, to meet in full the appropriations of said year for all
10 of the said classes of appropriations, then said revenues
11 shall be applied to the classes in the order above named,
12 and if, after the payment of the prior classes in full, there
13 are not sufficient revenues for any fiscal year to pay in full
14 the appropriations for that year for the next class, then, in
15 that event, whatever there may be to apply on account of
16 appropriations for said class shall be distributed among said
17 appropriations pro rata according as the amount of each
18 appropriation of that class shall bear to the total amount of
19 all of said appropriations for that class for such fiscal year.

20 No appropriation shall be made, nor any expenditure
21 authorized by the legislature, whereby the expenditure of
22 the government of Porto Rico during any fiscal year shall
23 exceed the total revenue then provided for by law and
24 applicable for such appropriation or expenditure, including

1 any available surplus in the treasury, unless the legislature
2 making such appropriation shall provide for levying a
3 sufficient tax to pay such appropriation or expenditure
4 within such fiscal year.

5 SEC. 33. That at the first election held pursuant to this
6 Act the qualified electors shall be those having the qualifica-
7 tions of voters under the present law. Thereafter voters
8 shall be citizens of the United States and of Porto Rico
9 twenty-one years of age or over and have such additional
10 qualifications as may be prescribed by the Legislature of
11 Porto Rico: *Provided*, That no property qualifications shall
12 ever be imposed upon or required of any voter.

13 SEC. 34. That the qualified electors of Porto Rico shall
14 at all general elections choose one Resident Commissioner
15 to the United States, whose term of office shall be four
16 years from the 4th of March following such general elec-
17 tion, and who shall be entitled to receive official recognition
18 as such Commissioner by all of the departments of the
19 Government 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 shall
22 receive the same salary and mileage, also the same sum
23 for stationery and pay for necessary clerk hire, as is now
24 allowed to Members of the House of Representatives of the
25 United States, and the franking privilege granted Members

1 of Congress. No person shall be eligible to election as
2 Resident Commissioner who is not a bona fide citizen of the
3 United States and of Porto Rico, born either in the United
4 States or in the said island, who is not less than twenty-
5 five years of age and who does not read and write
6 the English language. In case of a vacancy in the office
7 of Resident Commissioner, by death, resignation, or other-
8 wise, the governor, by and with the advice and consent
9 of the senate, shall appoint a Resident Commissioner to fill
10 the vacancy, who shall serve until the next general elec-
11 tion and until his successor is elected and qualified.

12 SEC. 35. That the legislative authority herein pro-
13 vided shall extend to all matters of a legislative character not
14 locally inapplicable, including power to create, consolidate,
15 and reorganize the municipalities so far as may be necessary,
16 and to provide and repeal laws and ordinances therefor;
17 also the power to alter, amend, modify, or repeal any or all
18 laws and ordinances of every character now in force in Porto
19 Rico or municipality or district thereof in so far as such
20 alteration, amendment, modification, or repeal may be con-
21 sistent with the provisions of this Act.

22 No executive department not provided for in this Act
23 shall be created by the legislature, but the legislature may
24 consolidate departments or abolish any department with the
25 consent of the President of the United States.

1 SEC. 36. That all grants of franchises, rights, and
2 privileges of a public or quasi public nature shall be made
3 by a public service commissioner, to be appointed by the
4 governor, by and with the advice and consent of the senate
5 of Porto Rico, to hold office for the term of four years and
6 until his successor is duly appointed and qualified. His
7 compensation shall be \$7,500 annually. The said com-
8 missioner is also empowered and directed to discharge all
9 the executive functions relating to public service corporations
10 heretofore conferred by law upon the public service com-
11 mission. Franchises, rights, and privileges granted by the
12 said commissioner shall not be effective until approved by
13 the governor.

14 The Interstate Commerce Act and the several amend-
15 ments made or to be made thereto, the Safety Appliance
16 Acts, and the several amendments made or to be made
17 thereto, and the Act of Congress entitled "An Act to amend
18 an Act entitled 'An Act to regulate commerce.' approved
19 February 4, 1887, and all Acts amendatory thereof, by
20 providing for a valuation of the several classes of property
21 of carriers subject thereto and securing information concern-
22 ing their stocks, bonds, and other securities," approved
23 March 1, 1913, shall not apply to Porto Rico. That no law
24 enacted by the Congress of the United States shall be ex-
25 tended to Porto Rico, unless expressly so provided.

1 The Legislative Assembly of Porto Rico is hereby
2 authorized to enact laws relating to the regulation of the
3 rates, tariffs, and service of public carriers by rail in Porto
4 Rico, and the public service commissioner hereby provided
5 shall have power to enforce such laws under appropriate
6 regulation.

7 SEC. 37. That all grants of franchises and privileges
8 under the section last preceding shall provide that the same
9 shall be subject to amendment, alteration, or repeal, and
10 shall forbid the issue of stocks or bonds except in exchange
11 for actual cash or property at a fair valuation, to be de-
12 termined by the public-service commissioner, equal in
13 amount to the par value of the stocks or bonds issued, and
14 shall forbid the declaring of stock or bond dividends, and in
15 the case of public service corporations shall provide for the
16 effective regulation of charges thereof and for the purchase
17 or taking of their property by the authorities at a fair and
18 reasonable valuation.

19 That nothing in this Act contained shall be so con-
20 strued as to abrogate or in any manner impair or affect
21 the provision contained in section 3 of the joint resolution
22 approved May 1, 1900, with respect to the buying, selling,
23 or holding of real estate.

24 SEC. 38. That the execution of the laws of the United
25 States relating to immigration, to tariffs, customs, and

1 duties on importations into the United States and the regu-
2 lations made pursuant thereto shall be effected in Porto Rico
3 through officials appointed by the governor of Porto Rico,
4 by and with the advice and consent of the senate of the
5 said island.

6 JUDICIAL DEPARTMENT.

7 SEC. 39. That the judicial power shall be vested in
8 the courts and tribunals of Porto Rico now established and
9 in operation under and by virtue of existing laws. The
10 jurisdiction of said courts and the form of procedure in
11 them, and the various officers and attachés thereof, shall
12 also continue to be as now provided until otherwise pro-
13 vided by law: *Provided, however,* That the chief justice
14 and associate justices of the supreme court shall be ap-
15 pointed by the governor, by and with the advice and con-
16 sent of the Senate of Porto Rico; and the Legislature of Porto
17 Rico shall have authority, from time to time, as it may
18 see fit, not inconsistent with this Act, to organize, modify,
19 or rearrange the courts and their jurisdiction and procedure,
20 except the District Court of the United States for Porto Rico.
21 All judgments rendered by the Supreme Court of Porto
22 Rico shall be final, except in case of the interpretation of
23 a constitutional provision or of a law enacted by the Con-
24 gress of the United States.

1 SEC. 40. That the supreme and district courts of Porto
2 Rico and the respective judges thereof may grant writs
3 of habeas corpus in all cases in which the same are grantable
4 by the judges of the district courts of the United States,
5 and the supreme court and district courts may grant writs
6 of mandamus in all proper cases.

7 SEC. 41. That hereafter all judges, marshals, and sec-
8 retaries of courts now established or that may hereafter be
9 established in Porto Rico, and whose appointment by the
10 President is not provided for by law, shall be appointed by
11 the governor, by and with the advice and consent of the
12 Senate of Porto Rico.

13 MISCELLANEOUS PROVISIONS.

14 SEC. 42. That, except as in this Act otherwise provided
15 the salaries of all the officials of Porto Rico not appointed
16 by the President, including deputies, assistants, and other
17 help, shall be such and be so paid out of the revenues of
18 Porto Rico as shall from time to time be determined by
19 the Legislature of Porto Rico and approved by the gov-
20 ernor; and if the legislature shall fail to make an appro-
21 priation for such salaries, the salaries theretofore fixed shall
22 be paid without the necessity of further appropriations
23 therefor. The salaries of all officers and all expenses of the
24 offices of the various officials of Porto Rico appointed as
25 herein provided by the President shall also be paid out of

1 the revenues of Porto Rico on warrant of the auditor, coun-
2 tersigned by the governor. The annual salary of the
3 governor shall be \$10,000; in addition thereto he shall
4 be entitled to the occupancy of the buildings heretofore
5 used by the chief executive of Porto Rico, with the fur-
6 niture and effects therein, free of rental; and the salaries of
7 heads of executive departments, chief justice of the supreme
8 court, and associate justices of the supreme court shall be
9 fixed by the Legislature of Porto Rico.

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

13 SEC. 43. That the provisions of the foregoing section
14 shall not apply to municipal officials; their salaries and the
15 compensation of their deputies, assistants, and other help,
16 as well as all other expenses incurred by the municipalities,
17 shall be paid out of the municipal revenues, in such manner
18 as the legislature shall provide.

19 SEC. 44. That any bureau or office belonging to any
20 of the regular departments of the government, or hereafter
21 created, or not assigned, may be transferred or assigned to
22 any department by the governor with the approval of the
23 Senate of Porto Rico.

24 SEC. 45. That deeds and other instruments affecting
25 land situate in the District of Columbia, or any other terri-

1 tory or possession of the United States, may be acknowl-
2 edged in Porto Rico before any notary public appointed
3 therein by proper authority, or any officer therein who has
4 ex officio the powers of a notary public: *Provided*, That the
5 certificate by such notary shall be accompanied by the cer-
6 tificate of the executive secretary of Porto Rico to the effect
7 that the notary taking such acknowledgment is in fact such
8 notarial officer.

9 SEC. 46. That nothing in this Act shall be deemed to
10 impair or interrupt the jurisdiction of existing courts over
11 matters pending therein upon the approval of this Act,
12 which jurisdiction is in all respects hereby continued, the
13 purpose of this Act being to preserve the integrity of all of
14 said courts and their jurisdiction until otherwise specifically
15 provided.

16 SEC. 47. That this Act shall take effect upon approval,
17 but until its provisions shall severally become operative, as
18 hereinbefore provided, the corresponding legislative and
19 executive functions of the government in Porto Rico shall
20 continue to be exercised and in full force and operation as
21 now provided by law.

22 SEC. 48. That the laws and ordinances of Porto Rico
23 now in force shall continue in force and effect, except as
24 altered, amended, or modified herein, until altered, amended,

1 or repealed by the legislative authority herein provided for
2 Porto Rico or by Act of Congress of the United States; and
3 such legislative authority shall have power, when not incon-
4 sistent with this Act, by due enactment to amend, alter,
5 modify, or repeal any law or ordinance, civil or criminal,
6 continued in force by this Act as it may from time to time
7 see fit.

8 SEC. 49. That all laws or parts of laws applicable to
9 Porto Rico not in conflict with any of the provisions of this
10 Act, including the laws relating to tariffs, customs, and
11 duties on importations into Porto Rico prescribed by the
12 Act of Congress entitled "An Act temporarily to provide
13 revenues and a civil government for Porto Rico, and for
14 other purposes," approved April 12, 1900, are hereby
15 continued in effect, and all laws and parts of laws inconsistent
16 with the provisions of this Act are hereby repealed.

A BILL

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

By Mr. KING.

DECEMBER 10, 1923.

Read twice and referred to the Committee on
Territories and Insular Possessions.