

March 4, 1927.

[S. 4247.]

[Public, No. 797.]

CHAP. 503.—An Act To amend and reenact sections 3, 20, 31, 33, 38, and 48 of the Act of March 2, 1917, entitled "An Act to provide a civil government for Porto Rico, and for other purposes," as amended by an Act approved June 7, 1924, and for the insertion of a new section in said Act between sections 5 and 6 of said Act, to be designated as "5a" of said Act.

Porto Rico Civil
Government.
Revenues.
Vol. 39, p. 953.
Vol. 41, p. 1006,
amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of an Act entitled "An Act to provide a civil government for Porto Rico, and for other purposes, approved March 2, 1917, as amended by an Act approved February 3, 1921, be, and the same is hereby, amended to read as follows:

Export taxes forbid-
den.
General taxes, as pro-
vided by legislature,
income added.

"SEC. 3. That no export duties shall be levied or collected on exports from Porto Rico, but taxes and assessments on property, income taxes, internal revenue, and license fees, and royalties for franchises, privileges, and concessions may be imposed for the purposes of the insular and municipal governments, respectively, as may be provided and defined by the Legislature of Porto Rico; and when necessary to anticipate taxes and revenues, bonds and other obligations may be issued by Porto Rico or any municipal government therein as may be provided by law, and to protect the public credit: *Provided, however,* That no public indebtedness of Porto Rico and the municipalities of San Juan and Ponce shall be allowed in excess of 10 per centum of the aggregate tax valuation of its property, and no public indebtedness of any other subdivision or municipality of Porto Rico shall hereafter be allowed in excess of 5 per centum of the aggregate tax valuation of the property in any such subdivision or municipality, and all bonds issued by the government of Porto Rico, or by its authority, shall be exempt from taxation by the Government of the United States, or by the government of Porto Rico or of any political or municipal subdivision thereof, or by any State, Territory, or possession, or by any county, municipality, or other municipal subdivision of any State, Territory, or possession of the United States, or by the District of Columbia. In computing the indebtedness of the people of Porto Rico, municipal bonds for the payment of interest and principal of which the good faith of the people of Porto Rico has heretofore been pledged and bonds issued by the people of Porto Rico secured by bonds to an equivalent amount of bonds of municipal corporations or school boards of Porto Rico shall not be counted, but all bonds hereafter issued by any municipality or subdivision within the 5 per centum hereby authorized for which the good faith of the people of Porto Rico is pledged shall be counted.

Provisos.
Indebtedness limited
of Porto Rico, and San
Juan and Ponce.

Other municipalities.

Bonds exempt from
Federal, etc., taxes.

Existing secured
bonds not computed
in limitation.

And it is further provided, That the internal-revenue taxes levied by the Legislature of Porto Rico in pursuance of the authority granted by this Act on articles, goods, wares, or merchandise may be levied and collected as such legislature may direct, on the articles subject to said tax, as soon as the same are manufactured, sold, used, or brought into the island: *Provided,* That no discrimination be made between the articles imported from the United States or foreign countries and similar articles produced or manufactured in Porto Rico. The officials of the Customs and Postal Services of the United States are hereby directed to assist the appropriate officials of the Porto Rican government in the collection of these taxes."

Internal revenue
taxes.
Collection.

Proviso.
No discrimination
against imports.

Federal officials to
assist in collection.

Citizenship.
Vol. 39, p. 953, amend-
ed.

SEC. 2. That a new section is hereby inserted between sections 5 and 6 of the Act entitled "An Act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917, as amended, as follows:

One year's residence
of American citizens.

Provisos.

"SEC. 5a. That all citizens of the United States who have resided or who shall hereafter reside in the island for one year shall be citizens of Porto Rico: *Provided,* That persons born in Porto Rico

of alien parents, referred to in the last paragraph of section 5, who did not avail themselves of the privilege granted to them of becoming citizens of the United States, shall have a period of one year from the approval of this Act to make the declaration provided for in the aforesaid section: *And provided further*, That persons who elected to retain the political status of citizens of Porto Rico may within one year after the passage of this Act become citizens of the United States upon the same terms and in the same manner as is provided for the naturalization of native Porto Ricans born of foreign parents."

SEC. 3. That section 20 of the said Act be, and the same is hereby, amended to read as follows:

"SEC. 20. That there shall be appointed by the President an auditor, at an annual salary of \$6,000, for a term of four years and until his successor is appointed and qualified. There shall be an assistant auditor and such other necessary assistants and employees as may be prescribed by law. The auditor shall appoint the assistant auditor. In case of the absence from duty, from any cause, of the auditor, the assistant auditor shall exercise all the powers and perform all the duties of the auditor during such absence; and in case of the absence from duty, from any cause, of both the auditor and the assistant auditor, the Governor of Porto Rico shall designate an assistant who shall have charge of the office.

"The auditor shall examine, adjust, decide, audit, and settle all accounts and claims pertaining to the revenues and receipts from whatever source of the government of Porto Rico and of the municipal funds derived from bond issues; and he shall examine, audit, and settle, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to or held in trust by the government of Porto Rico or the municipalities or dependencies thereof. He shall perform a like duty with respect to all government branches.

"The auditor shall keep the general accounts of the government, be the custodian of and preserve the vouchers pertaining thereto. The jurisdiction of the auditor over accounts, whether of funds or property, and all vouchers and records pertaining thereto, shall be exclusive. It shall be the duty of the auditor to bring to the attention of the proper administrative officer expenditures of funds or property which, in his opinion, are extravagant, excessive, unnecessary, or irregular.

"The decisions of the auditor shall be final, except that appeal therefrom may be taken by the party aggrieved or the head of the department concerned within one year, in the manner hereinafter prescribed. The auditor shall, except as hereinafter provided, have like authority as that conferred by the law upon the Comptroller General of the United States, and is authorized to communicate directly with any person having claims before him for settlement, or with any department, officer, or person having official relation with his office.

"The auditor, with the approval of the governor, shall from time to time make and promulgate general or special rules and regulations not inconsistent with law covering the methods of accounting for public funds and property, and funds and property held in trust by the government or any of its branches: *Provided*, That any officer accountable for public funds or property may require such additional reports or returns from his subordinates or others as he may deem necessary for his own information and protection.

"In the execution of his duties the auditor is authorized to summon witnesses, administer oaths, and to take evidence, and, in the pursuance of these provisions, may issue subpoenas and enforce the

Of Porto Rican birth of alien parents.

Naturalization of those who retained foreign status.

Vol. 39, p. 957, amended.

Auditor to be appointed by the President.
Assistant auditor, duties, etc.

Direction over all financial accounts.

Preservation of vouchers, etc.

Exclusive jurisdiction, etc.

Decisions final.

Authority similar to United States Comptroller General.

Methods of accounting.

Proviso.
Returns of trust funds accounts.

Administration of oaths, issuing subpoenas, etc.

attendance of witnesses, and compel witnesses to produce books, letters, documents, papers, records, and all other articles deemed essential to a full understanding of the matter under investigation.

Annual fiscal reports
by Auditor.

"As soon after the close of each fiscal year as the account of said year may be examined and adjusted, the auditor shall submit to the governor an annual report of the fiscal concern of the government, showing the receipts and disbursements of the various departments and bureaus of the government and of the various municipalities, and make such other reports as may be required of him by the governor or the head of the executive department of the Government of the United States to be designated by the President as herein provided.

Office under gover-
nor's supervision.

"The office of the auditor shall be under the general supervision of the governor."

Vol. 39, p. 960, amend-
ed.

SEC. 4. That section 31 of the said Act be, and the same is hereby, amended to read as follows:

Legislature.
Pay and mileage of
members.

"SEC. 31. That members of the senate and house of representatives of Porto Rico shall receive compensation at the rate of \$7 per day for the number of days of each regular session and of each special session while in session and mileage for each regular session and each special session at the rate of 10 cents per kilometer for each kilometer actually and necessarily traveled in going from their place of residence in their legislative districts to the capital and returning therefrom to their place of residence in their legislative districts by the usual routes of travel: *Provided*, That mileage for only one trip in going to and from each regular session and each special session shall be allowed: *And provided further*, That the members of the senate and house of representatives of Porto Rico shall not be entitled to nor receive any emoluments, remuneration, compensation, or payment for services or expenses other than the \$7 per day compensation for services and 10 cents per kilometer for travel expense in this section authorized."

Provisos.
Mileage limited to
one trip.
No other payments
allowed.

Vol. 39, p. 960, amend-
ed.

SEC. 5. That section 33 of the said Act be, and the same is hereby, amended to read as follows:

Time of regular ses-
sions.

"SEC. 33. That regular sessions of the legislature shall be held annually, convening on the second Monday in February of each year and closing not later than April 15 following; the governor may call special sessions of the legislature or of the senate at any time when in his opinion the public interests may require it, but no special session shall continue longer than fourteen calendar days, and no legislation shall be considered at such session other than that specified in the call therefor or in any special message by the governor to the legislature while in such session."

Restriction on special
sessions.

Vol. 39, p. 964, amend-
ed.

SEC. 6. That section 38 of the said Act be, and the same is hereby, amended to read as follows:

Public Service Com-
mission.

"SEC. 38. That all grants of franchises, rights, privileges, and concessions of a public or quasi public nature shall be made by a public service commission consisting of a public service commissioner, who shall be the president of the said commission, and two associated commissioners, to be appointed by the governor with the advice and consent of the senate. The Public Service Commissioner shall be appointed for a term of three years and until his successor shall be appointed and shall have qualified, and one of the said associated commissioners, first appointed, shall hold for a term of two years and one shall hold for a term of one year; and thereafter, each of said associate commissioners shall hold for a term of three years and until their successors shall have been appointed and shall have qualified: *Provided*, That the present elective members of the said commission shall continue to be members of said commission until their term of office expires as now provided by law and shall form the commis-

Authority of.

Terms.

Proviso.
Continuance of pres-
ent elective members
until terms expire.

sion, together with the three members appointed by the governor as aforesaid, until the expiration of such period of their services and not thereafter. The salary of the commissioner shall be \$6,000 a year and the said commissioner shall devote his entire time to his duties as such commissioner. The compensation of the associated members, both those elected and appointed, shall be \$10 for each day's attendance at the sessions of the commission; but in no case shall they receive more than \$1,000 during any one year. The said commission is empowered and directed to discharge all the executive functions relating to public service corporations heretofore conferred by law upon the executive council and such additional duties and functions as may be conferred upon said commission by the legislature. Franchises, rights, and privileges granted by the said commission shall not be effective until approved by the governor and shall be reported to Congress, which hereby reserves the power to annul or modify the same.

Salaries..

Powers over public service corporations.

Grant of franchises.

"The Interstate Commerce Act and the several amendments made or to be made thereto, the Safety Appliance Acts and the several amendments made or to be made thereto, and the Act of Congress entitled 'An Act to amend an Act entitled "An Act to regulate commerce," approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities,' approved March 1, 1913, shall not apply to Porto Rico.

Interstate Commerce laws of United States not applicable.

"The legislative assembly of Porto Rico is hereby authorized to enact laws relating to the regulation of the rates, tariffs, and service of all public carriers in Porto Rico, and the public service commission hereby created shall have power to enforce such laws under appropriate regulation."

Regulation of tariffs of public service carriers by legislature. Enforcement.

SEC. 7. That section 48 of the said Act be, and the same is hereby, amended to read as follows:

Courts. Vol. 39, p. 967, amended.

"SEC. 48. That the Supreme and District Courts of Porto Rico and the respective judges thereof may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the District Courts of the United States, and the District Courts may grant writs of mandamus in all proper cases.

Writs of habeas corpus allowed.

Mandamus.

"That no suit for the purpose of restraining the assessment or collection of any tax imposed by the laws of Porto Rico shall be maintained in the District Court of the United States for Porto Rico."

No suit to restrain collection of insular tax may be maintained by the district court.

Approved, March 4, 1927.

CHAP. 504.—An Act To authorize the construction of three cottages and an annex to the hospital at the National Home for Disabled Volunteer Soldiers at Marion, Indiana.

March 4, 1927.

[S. 4027.]

[Public, No. 798.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Managers of the National Home for Disabled Volunteer Soldiers is authorized and directed to construct at the Marion Branch of such home, at Marion, Indiana, on land now owned by the United States, three cottages with an aggregate capacity of two hundred beds, and a sanitary, fireproof hospital annex to the present hospital with a capacity of fifty beds.

Marion, Ind. Construction authorized of additions to Volunteer Soldiers Home at.

SEC. 2. Upon the order of a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers, the following persons shall be admitted to such cottages and hospital annex for the purpose of receiving medical treatment and the other benefits

Admissions authorized to additions.