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MANUAL

ON THE

Civil Government of Porto Rico

TO ACCOMPANY

THORPE'S "THE GOVERNMENT OF THE
PEOPLE OF PORTO RICO"

PREPARED BY

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TO TEACHERS.

The object of this manual is threefold: First, to set forth the changes that have become necessary, due to recent legislation, in Thorpe's *The Government of the People of Porto Rico*, bringing this text-book up to date; Second, to systematize the study of the subject, aiding both teachers and pupils, by the presentation of a syllabus of outlines, thus enabling pupils to grasp the different subdivisions as wholes; Third, to facilitate the work of teachers by the presentation of questions on the text and outlines, and to stimulate interest in collateral study by suggestive questions for discussion.

The outlines are intended as aids not only when the subject is first taken up, but also for review work. On account of the somewhat peculiar character of Chapters I and VIII no outlines on these chapters are given.

The author recommends that a study of the Government of Porto Rico precede that of the United States. However, Chapters I and II, found on pages 7 and 16, respectively, should be studied first.

The following books will be found helpful for supplementary study:

Register of Porto Rico (1903).

Historia de Puerto Rico por S. Brau.

The School Laws of Porto Rico.

Annual Reports of the Governor, Secretary, Attorney-General, Auditor, Treasurer, Commissioner of the Interior and Commissioner of Education.

The author will be grateful to his fellow-teachers for calling his attention to any errors that may occur in this manual.

PAUL G. MILLER.

Rio Piedras, Porto Rico, August, 1904.

PART I.

REVISIONS AND NOTES ON THE TEXT OF THORPE'S CIVIL GOVERNMENT OF PORTO RICO.

Chapter I.

Revision.—On page 8, paragraph 3, read “Guainabo” instead of “Gurabo;” in paragraph 2, read “Guaybaná” instead of “Aguinaba.”

Note.—In the study of the historical sketch, teachers may assign extracts from *Historia de Puerto Rico* por S. Brau.

Chapter II.

Revision.—On page 17, at the end of paragraph 25 add the following:

“On and after July 1, 1904, no name shall be added to the registry list of any person who is not able to read and write; but no new registration or new qualifications are required for those electors who were registered during the year 1902.”

On page 20, paragraph 34, line nine, after “election” add: “and is allowed to speak on the floor of the House of Representatives, the same as delegates from the territories.”

Chapter III.

Revision.—

On pages 27-30 omit paragraphs 46, 47, 48 and 49, and in place of this matter substitute the following:

Office of Health, Charities and Correction.

1. The Governor by and with the consent of the

Executive Council appoints a member of the Executive Council who is not charged with the administration of an executive department as Director of Health, Charities and Corrections, to hold office for four years, unless his successor is sooner appointed and qualified. He is subject to removal for cause by the Governor of Porto Rico, and in addition to his compensation as a member of the Executive Council, he receives an additional remuneration of \$600 per year. He appoints, with the consent of the Executive Council, an assistant director, a chief clerk, a disbursing officer, other clerical help, superintendents of institutions under his charge, wardens, keepers, guards, inspectors, and other officers.

2. It is the duty of this office to supervise, control, and administer the charitable, penal, correctional and sanitary institutions in Porto Rico supported by insular funds.

It is the duty of the Director of Health, Charities and Corrections, either personally or through one of his agents or inspectors, to visit and inspect from time to time the insular institutions placed under his charge, and make a report in writing to the Executive Council of the results of such inspection, together with recommendations which he may desire to make.

The Director shall at least once in each fiscal year, through his agents or inspectors, duly appointed by him for that purpose, inspect the charitable, penal, correctional and sanitary institutions belonging to cities and villages of the Island. A written report of every such inspection is filed in the office of the Director, and a copy is forwarded to the governing body of the institution inspected.

The Director also makes an inspection at such times as he sees fit, of the conduct, management, construction and general condition of any private hospital, school, asylum or other institution of charitable, penal

or correctional nature, where children or adults are cared for or confined. Written reports of the result of these inspections are made to the Governor and copies are furnished to the persons or authorities controlling such institutions.

The Director prepares rules and regulations for the government and administration of all charitable, penal, correctional and sanitary institutions, insular and municipal; regulations pertaining to the labor of prisoners, their employment, rewards for good behavior and other subjects affecting the welfare of prisoners and their management; regulations concerning the following matters: Public water supply, markets, bakeries, general grocery stores, milk stalls and meat stalls, public institutions, schools, asylums, jails, hospitals, dispensaries, court rooms, theatres and residences, purity, brands, labels, and good conditions of foods, beverages, liquors, drugs and medicines; vital statistics, marriages, births and deaths; examination, licensing and registration of veterinarians, dentists, druggists, practicante, plumbers and undertakers; sewerage, street cleaning, nuisances, slaughter-houses, stables and yards; infectious and contagious diseases, traffic, business, industries and factories injurious to public health; funerals and cemeteries, vaccination, poisons, explosives; intervention in and sanitary inspection of conveyances on land for travel and traffic. These rules and regulations are subject to the approval of the Executive Council.

The Director provides for the supply of provisions and other suitable articles for the maintenance of the inmates and prisoners under his charge. He makes such reports as the Attorney-General may from time to time request, and at the close of each fiscal year he makes a report to the Governor on the work done by the office under his charge.

3. Upon the recommendation of the Director, the

Governor by and with the advice and consent of the Executive Council appoints a superior board of health of five members, consisting of a supervisor of health, one physician, one lawyer, one civil engineer and one druggist, who hold their offices for two years, without compensation except for traveling and other expenses.

The superior board of health is an advisory board to the Director of Health, Charities and Corrections on all matters concerning sanitary investigations of the causes of diseases, epidemics, sources of mortality, rules and regulations for public hygiene, plans for new water supplies, drainage, sewerage, and public institutions of all kinds; registry of births, marriages and deaths; practice of pharmacy, dentistry, practicantes, embalming and burials; the examination and licensing of plumbers, and the observance of sanitary regulations; purity of food, beverages, medicines and drugs; dangerous occupations; and all things which concern public health and individual security.

Chapter IV.

Revision.—Substitute the following text:

CHAPTER IV.

THE JUDICIAL DEPARTMENT.

1. The Judicial Power of Porto Rico is vested in a Supreme Court, or Court of Appeals, in seven District Courts, twenty-four Municipal Courts, and in Justice Courts.

2. The Supreme Court consists of a chief justice and four associate justices, three of whom make a quorum. The chief justice and the associate justices of the supreme court, as well as the marshal, are appointed for

a term of four years by the President, by and with the advice and consent of the Senate. The chief justice receives an annual salary of \$5000, the associate justices \$4500 each, and the marshal \$3000. This court also has a fiscal, or prosecuting attorney, a secretary, an interpreter and a stenographer.

3. **The Supreme Court** is a court of appeals in all civil and criminal cases to which appeals are made from the decisions of the district courts. It has original jurisdiction in cases of charges of malfeasance preferred against the judges of the district courts or the prosecuting attorneys in the insular courts. The supreme court has original jurisdiction for the trial and adjudication of all questions existing, or which may arise between the Roman Catholic Church in Porto Rico, and the People of Porto Rico, or between the Roman Catholic Church and any municipality in Porto Rico, where property rights claimed by either party are affected.

4. **Appeals to the Supreme Court of the United States.** From the final judgments and decrees of the supreme court of Porto Rico an appeal may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the supreme courts of the territories, whenever the matter in dispute, exclusive of costs, exceeds the sum of \$5000. In cases which involve the construction or application of the Constitution of the United States, or in which the constitutionality of any law of the United States, or the validity or construction of any treaty under its authority is drawn in question, the appeal to the Supreme Court of the United States may be taken without regard to the sum or value in dispute; so, too, in a case involving the validity of a patent or a copyright, or to any proceeding by *habeas corpus* involving the question of personal freedom. All proceedings on appeal, in the Supreme Court of

the United States are conducted in the English language.

5. **District Courts.** Porto Rico is divided into seven judicial districts, in each of which is established a district court. The capitals of these districts where the courts hold their sessions are San Juan, Arecibo, Aguadilla, Mayaguez, Ponce, Guayama and Humacao.

Each district court has one judge, who must be over twenty-five years of age, a lawyer of good standing, admitted to the bar of the supreme court of Porto Rico, and must be able to conduct the business of his court in the Spanish language. The district judges are appointed by the Governor, by and with the consent of the Executive Council, for a term of four years. They receive an annual salary of \$3000 and perform the duties as provided in the different laws, decrees and codes of Porto Rico. The Governor may also appoint a special judge familiar with the proceedings in jury trials to assist the courts of the various districts to inaugurate the proceedings according to the Code of Civil Procedure, and especially in the practice of jury trials. In cases of absolute necessity the Governor also appoints a substitute judge for such a time as may be necessary.

The district marshal is chosen by the qualified electors of the district which he serves for a term of four years. He receives an annual salary of \$1800, and executes a bond of \$5000 to the People of Porto Rico. With the approval of the Attorney-General, he may appoint such deputies as may be allowed in the annual budget. The marshal is the executive officer of the court; carries out its lawful orders and directions; serves writs, summons and warrants; and collects and accounts for such fees as directed by law.

The secretary of the district court is elected by the qualified voters of the district which he serves. He executes a bond of \$5000, may appoint certain depu-

ties with the approval of the Attorney-General, and receives an annual salary of \$1800. He performs such duties as are prescribed by the codes, or may be required by the rules and practice of the court; he keeps the required books; collects fees for services rendered; and files with the Auditor such statements of accounts as the Auditor may prescribe.

The stenographer of the district court is appointed by the Attorney-General at an annual salary of \$1200. He is required to execute a bond of \$5000; and correctly reports all oral proceedings had in the court and the testimony taken in all cases tried. He is required to file the stenographic records and reports made by him with the secretary of the district court and to deliver typewritten copies of records on the application of the Attorney-General, district fiscal or any party to a suit.

The district fiscal is appointed by the Governor, by and with the consent of the Executive Council for a term of four years, and at an annual salary of \$3000 payable from the insular treasury. It is the duty of the district fiscal to prosecute in his district all delinquents for crimes and offenses cognizable under the authority of the People of Porto Rico, and all civil actions in which the People of Porto Rico are concerned, and shall perform all other duties conferred upon him by law and commissions of the Attorney-General.

The district courts have jurisdiction in all civil cases where the amount in controversy exceeds the sum of \$500, and in all criminal cases known as felonies. Appeals are allowed in all these cases to the supreme court; and from the decisions of the municipal courts to the respective district courts.

6. The Writ of Habeas Corpus.—The inhabitants of Porto Rico are entitled to the benefit of the writ of *habeas corpus*. The judges of the respective courts of

Porto Rico grant this writ in all cases in which it is grantable by the judges of the district and circuit courts of the United States.

7. **Bail and Punishments.**—Reasonable bail is allowed in all cases except in capital offenses such as murder. No cruel or unjust punishment may be inflicted, but capital punishment may be inflicted as the law directs.

8. **Trial by Jury.**—In district courts the defendant in all cases of felony may demand a trial by jury. The jury consists of twelve men selected by three jury commissioners, appointed by the court for a term of one year. These commissioners select jurors from the responsible citizens of the district, and the empanelling of the jury with the proceedings at the trial are conducted substantially the same as in the United States.

9. **Municipal Courts.**—In Porto Rico there are twenty-four municipal judicial districts whose capitals are as follows: San Juan, Bayamón, Carolina, Vega Baja, Arecibo, Utuado, Manatí, Aguadilla, Lares, Añasco, Mayagüez, San Germán, Cabo Rojo, Ponce, Yauco, Coamo, Barros, Guayama, Cayey, Caguas, Humacao, Fajardo, San Lorenzo and Yabucoa. The municipal court is composed of a judge, marshal and secretary, all of whom are elected by popular vote. In the cities and larger towns the judges must be lawyers in good standing, admitted to the bar of the Supreme Court of Porto Rico, and practicing before the insular courts. The salary of municipal judges, which is payable from insular funds, varies from \$1000 to \$1500 per year, according to the importance of the judicial districts. The salaries of marshals and secretaries is also paid from insular funds and varies from \$720 to \$1200 per year. The duties of marshals and secretaries of municipal courts are identical with those of marshals and secretaries of the district courts.

Municipal courts have jurisdiction in all civil matters to the amount of \$500, including interest; and in all criminal cases except felonies, but in all felony cases the municipal judge may act as committing magistrate, and he may fix bail under the laws in force. In municipal judicial districts where there are no justice courts the jurisdiction of municipal courts extends also to cases of violations of municipal ordinances.

10. Justice Courts.—The justices of the peace are appointed by the Governor by and with the consent of the Executive Council. There is a justice court in San Juan, Ponce and Mayaguez, where the justices perform all the duties and functions of police justices. There are also justice courts in all municipal judicial districts which are composed of more than one municipality or town. In San Juan, Ponce and Mayaguez the justices receive an annual salary of \$1200; all other justices of the peace receive a compensation of \$360 per year. In San Juan, Ponce and Mayaguez the justice appoints a secretary at a salary of fifty dollars per month; all other justices have a bailiff, who executes all process and receives fifteen dollars per month for his services. All these salaries are paid out of municipal funds, and all fines imposed and collected by justices of the peace are paid into the municipal treasuries.

Justice courts have jurisdiction to hear and determine offenses in which the punishment imposed may not exceed a fine of fifteen dollars, or imprisonment not to exceed thirty days, and in all cases of violations of municipal ordinances. During the absence of the municipal judge the justice of the peace acts as examining and committing magistrate.

11. District Court of the United States.—Porto Rico forms a judicial district of the United States, called "The District of Porto Rico." For this district the President, by and with the advice and consent of

the Senate, appoints a district judge at an annual salary of \$5000, a district attorney at \$4000, and a district marshal at \$3500, each for a term of four years. This court is called the "District Court of the United States for Porto Rico," and has the necessary officials and assistants, including a clerk and an interpreter appointed by the judge of this court.

The jurisdiction of the district court of the United States for Porto Rico, in addition to the ordinary jurisdiction of district and circuit courts of the United States, extends to and embraces controversies where the parties, or either of them, are citizens of the United States, or citizens or subjects of a foreign state or states, wherein the matter in dispute exceeds, exclusive of interests or costs the sum or value of \$1000.

Note.—Consult § 62, page 35, Thorpe's Civil Government of Porto Rico for a summary of the judicial department.

Chapter V.

Revision.—On page 42, paragraph 82, line three, instead of "Superior Board of Health" read "Director of Health, Charities and Corrections."

Note on paragraph 71 and 79.—The powers of the municipal council are exercised under the supervision of the Secretary of Porto Rico; the financial affairs of the municipality are under the supervision of the Treasurer of Porto Rico, while matters relating to sanitation and health are under the inspection of the Director of Health, Charities and Correction.

At the present time there are no municipal police forces in Porto Rico. Order is preserved throughout the island by the insular police.

Chapter VI.

Revision.—On page 46, in place of paragraph 88, insert the following:

88. **General Elections.**—At the general election which is held every two years on the first Tuesday after the first Monday in November, there are chosen a resident commissioner to the United States; in each legislative district three road supervisors and five delegates to the House of Delegates; in each judicial district a secretary and marshal who holds office for four years; in each municipal judicial district a municipal judge, marshal and secretary; and in each municipality one mayor, three school directors, and the members of the municipal council. The election is under the general direction of the Executive Council.

Note.—In connection with this chapter review the qualifications of voters, § 25.

Chapter VII.

Revision.—On page 53, paragraph 104, in place of the words "Not less than fifteen per cent. nor more than twenty-five per cent." read "Twenty-five per cent. of all taxes collected and funds received," etc.

At the end of paragraph 104 add:

In order to increase the revenues of the respective school boards, the municipalities may levy a property tax to be known as "School Tax" and not to exceed one-tenth of one per centum of the assessed value of all real property within the respective municipalities. This tax is collected by the Treasurer of Porto Rico and paid to the treasurers of school boards.

On page 48, paragraph 97, line three, in place of "one person to serve as director" read "three persons to serve as directors."

In the fifth line of the same paragraph instead of "three years" read "two years."

PART II.

SYLLABUS OF OUTLINES.

OUTLINE ON THE LEGISLATIVE DEPARTMENT.

- I. Legislative Assembly—Composed of
 - a. Executive Council.
 1. Composed of
 - (a) Six heads of executive departments.
 - (b) Five other members.
 2. How appointed?
 3. Term of office.
 4. Names of present members.
 5. Remuneration.
 6. President
 7. Other officers.
 8. Special powers.
 - (a) Approves appointment of certain officials.
 - (b) Has charge of general elections.
 - (c) Grants franchises and concessions of a public nature subject to approval of the President.
 - b. House of Delegates.
 1. Composed of thirty-five members—number of districts.
 2. Qualifications of members.
 3. How members obtain their places.
 - (a) Election.—When?
How often?
Qualifications for voting.
 4. Term of office.
 5. Names of members representing your district.
 6. Names of several other prominent delegates.
 7. Remuneration.
 8. President.
 9. Other officers.

II. Sessions of Legislative Assembly.

- a. Meets when?
- b. How often?
- c. For how long?
- d. Special sessions—by whom called?

III. Powers of each house separately.

- a. Chooses its officers.
- b. Determines its rules of proceeding.
- c. May punish its members or other persons for disorderly behavior in its presence.
- d. May enforce obedience to its orders.
- e. May summon witnesses before it or any of its committees.
- f. May administer oaths to witnesses.
- g. May protect its members against violence or bribery.
- i. Keeps a journal of its proceedings.
- j. Is judge of election, returns and qualification of its members.

IV. Powers of Legislative Assembly.

- a. To make all laws applicable to Porto Rico and consistent with the Constitution of the United States and the Organic Act.
 1. All laws passed by both houses presented to the Governor for his signature.
 2. Congress reserves power and authority to annul laws enacted by Legislative Assembly.
- b. How bills become laws.
 1. Bills passed by a majority vote of both houses and signed by the Governor become laws.
 2. Bills vetoed by the Governor and repassed by a two-thirds majority of both houses become laws.
 3. Bills passed by a majority of both houses and not returned by the Governor within ten days (Sundays excepted) after their presentation to him become laws, unless the Assembly by adjournment prevent their return.

V. Delegate to Congress or Resident Commissioner.

- a. How does he obtain his position?
- b. Qualifications for this office.
- c. Term of service.
- d. Remuneration.
- e. Powers and duties.

OUTLINE OF THE EXECUTIVE DEPARTMENT.

I. The Governor.

- a. How appointed?
- b. Term of office.
- c. Salary.
- d. Official residence.
- e. Name of present governor.
- f. Powers and duties.
 1. May grant pardons and reprieves, and remit fines and forfeitures for offenses against the laws of Porto Rico.
 2. May grant respites for offenses against the laws of the United States.
 3. Commissions all officers that he may be authorized to appoint.
 4. May veto any legislation enacted by the Assembly.
 5. Is commander-in-chief of the militia.
 8. Executes the laws.
 9. Possesses all the powers of governors of territories so far as applicable to Porto Rico.
 10. Makes official reports of the transactions of the government in Porto Rico to the President of the United States.

II. Executive Heads of Departments.

- a. Officials.
 1. Secretary.
 2. Attorney-General.
 3. Treasurer.
 4. Auditor.
 5. Commissioner of the Interior.
 6. Commissioner of Education.
- b. How appointed?
- c. Term of office.
- d. Salary of each.
- e. Residence.
- f. Names of present heads of departments.
- g. Powers and duties.
 1. Secretary
 - (a) Records and preserves the minutes of the proceedings of the Executive Council and laws enacted by Assembly, and acts and proceedings of the governor.

- (b) Promulgates proclamations and orders of the governor, and all laws enacted by Assembly.
 - (c) Transmits copies of laws and journal of sessions to 1, the President; 2, President of Senate; 3, Speaker of the House of Representatives; 4, Secretary of State of United States.
 - (d) Exercises powers and performs duties of governor in case of his absence from island or when office is vacant.
 - (e) Exercises powers of supervision and control over municipal affairs.
2. Attorney-General.
- (a) Represents the people of Porto Rico in all suits and proceedings to which it is a party.
 - (b) Supervises the administrative affairs of the insular courts.
 - (c) Prepares and presents to the supreme court, when necessary, articles of impeachment against any judge or official.
 - (d) Files information before district court in case of official misconduct of any officer or employee of insular government.
 - (e) Gives opinion to governor, heads of departments, assembly, or either house on interpretation, construction and execution of laws.
 - (f) Reports on all applications for pardons.
 - (g) Approves bonds of certain officials, as to form.
 - (h) Has power to examine and investigate offices of registrars of property.
 - (i) Reports to the attorney-general of United States on affairs of his office.
 - (j) In general has powers and performs duties of attorney of a territory of the United States.
3. Treasurer.
- (a) Bond, amount, why necessary?
 - (b) As treasurer proper, receives, has custody of and disburses funds of the government on warrants signed by auditor.
 - (c) As assessor has charge of assessment of all property in Porto Rico for purposes of taxation.
 - (d) As collector of taxes has supervision over offices of collectors and keeps accounts and records of payments made by tax-payers.
 - (e) As commissioner of banks and corporations has charge of examination and supervision of banking, insurance and other financial institutions.

- (f) Issues licenses to foreign corporations to do business in Porto Rico.
- (g) Supervises system of weights and measures.
- (h) Grants permits to carry fire-arms.
- (i) Approves bonds of certain officers.
- (j) Supervises the administration of financial affairs of municipalities.
 - (1) Prescribes uniform system of keeping books of accounts, deposit of money and making disbursements.
 - (2) Requires uniform reports.
 - (3) Examines financial operations of any municipality when authorized by governor.
- (k) Makes reports to secretary of treasury of United States.

Treasury department organized into

- (1) Office of treasurer of Porto Rico (proper).
- (2) Bureau of accounts.—Collectors and deputies.
- (3) Bureau of internal revenue.—Internal revenue agents.
- (4) Bureau of municipal finance.—Examiners of municipal accounts.

4. Auditor.

- (a) Keeps full and accurate accounts of money received and disbursed.
- (b) Sees to it that all money collected is properly accounted for and that any money expended is disbursed properly and lawfully.
- (c) Is final authority in all matters pertaining to appeals and accounts, subject only to appeal to the governor.
- (d) Has charge of purchase and distribution of stationery supplies furnished to various departments.

5. Commissioner of the Interior.

- (a) Superintends all works of a public nature.
- (b) Has charge of public buildings, grounds and lands, except those belonging to the United States.
- (c) With approval of Executive Council, may rent and sell certain lands.
- (d) Makes report to secretary of interior of United States.
- (e) Bureaus of the department of the interior.
 - (1) Public works.
 - (2) Agriculture and mines.
 - (3) Public lands.

- (4) Insular telegraph.
- (5) Docks and harbors.

NOTE.—For a list of public buildings and telegraph offices consult pages 153-5, Register of Porto Rico. (1903.)

6. Commissioner of Education.

- (a) Superintends public instruction throughout Porto Rico and approves disbursements made on account thereof.
- (b) To establish and maintain a system of public schools, higher institutions of learning, special schools and other educational agencies.
- (c) In his relation to boards, he fills vacancies, examines and approves account books, determines number of schools for each municipality.
- (d) In his relation to teachers, he examines candidates for certificates, issues licenses, appoints teachers of English, special teachers and superintendents; and approves appointment of all other teachers.
- (e) May suspend teachers and annul contracts.
- (f) Prepares courses of study.
- (g) Selects and purchases school books, supplies and equipment.
- (i) Approves plans for public school buildings.
- (j) Collects school statistics.
- (k) Is chancellor of the University of Porto Rico and president of its board of trustees.

NOTE.—Teachers may require pupils to consult the School Laws of Porto Rico. Look up "Commissioner" in the index and follow the references by pages.

III. Office of Health, Charities and Corrections.

a. Director.

- 1. How appointed?
- 2. Term of office.
- 3. Salary.
- 4. Powers and duties.
 - (a) Appoints assistants and other officers.
 - (b) Supervises, controls and administers charitable, correctional, penal and sanitary institutions supported by insular funds.
 - (c) Inspects and reports on institutions belonging to cities and villages.
 - (d) Inspects and reports on private institutions.
 - (e) Prepares rules and regulations for government and administration of charitable, penal, cor-

- rectional and sanitary institutions; and on all other matters affecting public health.
- (f) Makes annual report to governor and such other reports as attorney-general may require.
- b Superior Board of Health.
1. Composed of five members.
 2. Appointed by governor on recommendation of director.
 3. Remuneration.
 4. Duties—Acts as advisory board to director on all matters affecting public health, such as sources of mortality, purity of foods, practice of pharmacy, dentistry, water supplies, etc.

OUTLINE OF JUDICIAL DEPARTMENT.

I. Supreme Court of Porto Rico.

- a Composed of
1. One chief justice, four associate justices, a marshal.
 - (a) How appointed?
 - (b) Term of office.
 - (c) Salary of each.
 - (d) Number necessary for quorum.
 - (e) Names of present judges and marshal.
 2. Other officials.
 - (a) Fiscal.
 - (b) Secretary.
 - (c) Stenographer.
 - (d) Interpreter.
- b Jurisdiction.
1. Acts as court of appeals in all civil and criminal cases where appeals are made from decisions of district courts.
 2. Has original jurisdiction in cases of malfeasance of district judges or fiscals.
 3. Has original jurisdiction in trying and adjudicating questions affecting property rights between the Roman Catholic Church in Porto Rico and (a) the people of Porto Rico, (b) any municipality in Porto Rico.
- c Appeals to Supreme Court of United States.
1. Cases whenever matter in dispute exceeds \$5000.
 2. Cases involving construction or application of the Constitution, or constitutionality of a law, or validity or construction of a treaty.
 3. Cases involving validity of patent, copyright or question of personal freedom. (Habeas corpus.)

II. District Courts.

- a. Judicial districts.—Number, headquarters, where?
- b. Judges—One.
 1. Qualifications.
 2. How appointed?
 3. Term of office.
 4. Salary.
 5. Duties.
- c. Special judge.
- d. Substitute judge.
- e. Writ of habeas corpus.
- f. Bail and punishments.
- g. Trial by jury.
- h. Other officers of district courts.—Marshal, secretary, stenographer, fiscal.
 1. How does each obtain his office?
 2. Salary.
 3. Bond, amount. Which of these does not execute bond?
 4. Term of office.
 5. Duties.
 - (a) Marshal.—Acts as executive officer of court. Carries out its lawful orders. Serves writs, summons, warrants, etc.
 - (b) Secretary.—Keeps such books as are prescribed by the codes, collects fees for services rendered, and performs such other duties as may be required by rules and practice of court.
 - (c) Stenographer.—Reports oral testimony in court verbatim. Files records and reports with secretary. Delivers typewritten copies of record on application of attorney-general, fiscal or party to a suit.
 - (d) Fiscal.—Qualifications.
 - (1) Prosecutes delinquents for crimes and offenses.
 - (2) Represents the people of Porto Rico in civil actions.
 - (3) Performs other duties required by law and commissions of attorney-general.
- i. Jurisdiction of district courts.
 1. In civil matters where amount in controversy exceeds \$500.
 2. In cases of felony.
 3. In cases of appeal from decision of lower courts.

III. Municipal Courts.

- a. Number.
- b. Composed of
 1. Judge.
 - (a) In large towns lawyers of good standing.
 - (b) Salary varies from \$1000 to \$1500.
 - (c) Elected by popular vote.
 2. Marshal and secretary.
 - (a) Elected by popular vote.
 - (b) Salary varies from \$720 to \$1200.
 - (c) Duties identical with those of district marshal and secretary.
- c. Jurisdiction.
 1. In civil matters to the amount of \$500.
 2. In cases of misdemeanors, but judge may act as committing magistrate in felony cases and fix bail.
 3. In municipal judicial districts where there are no justice courts, municipal courts have jurisdiction, also in cases of violations of municipal ordinances.
- d. Names of municipal judge, secretary and marshal of district in which you live.
- e. Salaries paid from insular funds.

IV. Justice Courts.

- a. Justice.
 1. How appointed?
 2. Salary.
 - (a) In San Juan, Ponce and Mayaguez \$1200.
 - (b) In other towns \$360.
- b. Other officers appointed by justice.
 1. Secretary in San Juan, Ponce and Mayaguez at \$50 per month.
 2. Bailiff in all other justice courts at \$15 per month.
- c. Jurisdiction
 1. Offenses in which punishment may not exceed fine of \$15, or imprisonment not to exceed thirty days.
 2. All cases of violations of municipal ordinances.
 3. Justice acts as examining and committing magistrate in absence of municipal judge.
- d. Salaries paid from municipal funds.
- e. Fines collected paid into municipal treasury.
- f. Name of justice in your town.

V. District Court of the United States for Porto Rico.

- a. Judge.
- b. Prosecuting Attorney.
- c. Marshal.
- d. How are these officers appointed?
- e. Term of office.
- f. Salary of each.
- g. Names of present incumbents.
- h. Jurisdiction of court.
 1. Offenses against laws of United States. Ordinary jurisdiction of district and circuit courts of United States.
 2. Controversies in which are involved a citizen of a state, or territory of United States, or citizen or subject of a foreign country, where sum in dispute exceeds \$1000.

OUTLINE OF THE GOVERNMENT OF MUNICIPALITIES.

I. Legislative Department.

- a. Municipal council.
 1. Composed of
 - (a) nine members in municipalities of 20,000 population or over,
 - (b) five members in municipalities having less.
 2. How and when elected?
 3. Term of office.
 4. Qualifications of councilmen.
 - (a) Over twenty-one years of age.
 - (b) Must have resided one year in Porto Rico and six months in municipality.
 - (c) Must be able to read and write.
 - (d) Must own real or personal property of value not less than \$200.
 5. Vacancies.
 - (a) How caused?
 - (b) How filled?
 6. Meetings of council.
 7. Quorum.
 8. President.
 9. Powers.—Makes all laws, ordinances and regulations necessary for local government, subject to mayor's veto. (See § 71, Thorpe).

II. Executive Department.

Mayor.

1. How and when elected?
2. Term of office.
3. Subject to removal by governor.
4. Vacancy—how filled?
5. Reports. (a) To governor. (b) To council.
6. Powers and duties.
 - (a) Veto power.
 - (b) Signs ordinances and resolutions approved by him.
 - (c) Makes recommendations to council.
 - (d) Represents municipality in legal proceedings.
 - (e) Appoints and directs municipal employees. May suspend and remove them when necessary.
 - (f) Publishes and executes ordinances of council.
 - (g) Appoints rural delegates. (Comisarios.)
 - (h) With consent of council appoints commissioner in charge of civil register.

III. Administrative Officials.

- a. Secretary.—Duties.
- b. Treasurer.—Duties.
- c. Comptroller.—Duties. (Contador municipal.)
- d. Inspector of public works.—Duties.
- e. Board of charities.—Duties.
- f. Health officer.—Duties.
- g. School board. (See Education.)

IV. Judicial Department. (See chapter on The Judicial Department.)

- a. Municipal courts.
- b. Justices of the peace.

V. The budget.

VI. Sources of revenue.

VII. Indebtedness-limit.

VIII. Appeals.

OUTLINE ON ELECTIONS.

I. General elections.

- a. When and how often held?
- b. Officials elected
 1. Insular
 2. Municipal
- c. Under supervision of Executive Council

II. Boards of election.

- a. How appointed?
- b. Duties.

III. Supervisor of elections.

- a. How appointed?
- b. Duties.

IV. Registration.—What is it? By whom made?

V. The ballot.—What is it?

VI. The voting-room.

- a. Object.
- b. Proceedings in voting-room.

VII. Qualifications of voters.

(See § 25 and revision).

VIII. Counting votes.

OUTLINE ON EDUCATION.

I. School districts.

II. School boards.

- a. Number of directors.
- b. How and when chosen?
- c. Qualifications.
- d. Vacancies—how filled? (Consult sections 26, 27, 28 and 29 of School Laws.)
- e. Meetings. (Consult section 6 of law.)
- f. Officers of board.
 1. President.
 2. Secretary.—Duties. (See section 25 of law.)
 3. Treasurer. (Not a member.) Duties. (See sections 22 and 23 of law.)
- g. Powers and duties of board.
 1. May acquire property by right of eminent domain.
 2. May borrow money.
 3. May extend school year.
 4. May increase salaries.
 5. May suspend teachers.
 6. To have charge of buildings.
 7. To pay teachers' house rent.

8. To nominate and elect teachers with approval of Commissioner.
9. To assign teachers.
10. To report number of schools desired.
11. To supply equipment.
12. To visit schools.
13. To report to Commissioner.
(Consult references under "School Board" in the index of the School Laws.)

III. School funds.

- a. Board to receive 25% of funds received from insular treasury.
- b. Municipalities may levy school tax. (See section 63.)
- c. Accounts to be audited. (Section 20 of School Law.)
- d. Not to incur obligations in excess of receipts. (Section 21.)

IV. Superintendents.—Duties. (See section 62 of law.)

V. Teachers.

- a. Classification. (Section 35.)
- b. Qualifications. (Sections 36, 37, 38, 39 and 40.)
- c. Duties. (Sections 50 to 54.)
- d. How elected? (Sections 54 and 55.)

VI. Compulsory attendance. (See An Act to amend section 60 of the Codified School Law.)

PART III.

QUESTIONS ON THE TEXT AND OUTLINES, SUGGESTIVE QUESTIONS.

QUESTIONS ON CHAPTER I.

The History of Government in Porto Rico.

When and by whom was Porto Rico discovered? What was Porto Rico named by the discoverer? Near what place did Columbus land? What other noted explorer came with Columbus? When and for what purpose did Ponce De Leon return to Porto Rico? Who was appointed as the first governor of Porto Rico? Where was the seat of government at that time? Give the geographical location and later designation of this place? What name was given to our island in the king's commission to Ponce? How were the natives of the West Indies exterminated? Tell about the introduction of slavery. What city was made the capital of Porto Rico in 1510? What geographical advantages did San Juan possess over Caparra? Give a brief account of slavery in Porto Rico?

What kind of government did Porto Rico have under the four centuries of Spanish rule? Tell briefly of the attempts at invasion by the French, English, Dutch and Columbians. How did the treaty of Paris between Spain and the United States affect Porto Rico? What kind of government did the United States maintain at first? What is meant by the "Organic

Act?" What is the purpose of this act of Congress? What was the general effect of the Spanish colonial rule upon the life of the people? What can you say of the powers of the governors appointed by the kings of Spain? When was the system of colonial autonomy granted? What was accomplished under this system? What participation in the government is enjoyed by the voters at the present time? What protection is given to the inhabitants?

Under what conditions is good government secured? On whom does the future of Porto Rico depend? Why? What influence does the citizen exert in making good government? How can we use our influence in favor of good government in Porto Rico? Why does the fate of good government in Porto Rico depend on its individual inhabitants? How are the people of Porto Rico learning the lessons of self-government? What should be the ambition of every worthy citizen of this island? What is necessary in order to realize this ambition?

Suggestive Questions for Discussion.

Do you consider a civil government preferable to a military government? Why? What qualifications should Porto Rico possess in order to become a state? Why is the education of the common people considered necessary for a popular government?

QUESTIONS ON CHAPTER II.

The Legislative Department.

What is a citizen of the United States? Of a State? Of Porto Rico?

How is the Legislative Assembly of Porto Rico com-

posed? What is the difference between the Legislative Assembly and the House of Delegates? How many members of the Executive Council are heads of departments? How many are not? How many members has the Executive Council in all? How are members of this body appointed? For how long? Name the present members? State the salary of members of the Executive Council? By whom and how are the salaries fixed? Who is president of the Executive Council? What are his duties as president? What other officers has this body? What are their duties?

How many members has the House of Delegates? How many for each district? How many districts are there? What are the qualifications of members of the House of Delegates? How do they obtain their places? When is an election held? How often? What are qualifications of voters at this election? How long do members serve as delegates? Name the members representing the district in which you live? Name several other prominent members? What remuneration is paid to members of the House? Who is the president of this body? What are his duties? What other officers has the House, and what are their duties?

When does the Legislative Assembly meet? For how long? How often? What provision is made for holding special sessions? Who calls special sessions?

Enumerate the powers of each house? Why should each house have the right to call witnesses? Why are oaths administered to witnesses? Why is a journal of the proceedings kept? Explain the meaning of topic (j) in the outline.

What general powers are conferred upon the Legislative Assembly by the Foraker Act? Why must all laws be consistent with the Constitution and the Organic Act? Has the Governor of Porto Rico any intervention in legislation? How? What body has the

right to grant franchises and concessions of a public nature? To whose approval are these grants subject? What power and authority does Congress reserve in regard to laws passed by the Legislative Assembly?

What is a bill? In how many ways may a bill become a law? Which is the usual way? State two other ways. Explain how the Assembly can prevent the return of a bill by adjourning.

Who is our present delegate to Congress? What other title is applied to him? How does the Resident Commissioner obtain his office? What qualifications are required for this office? What salary is he paid? State his powers and duties? How do his powers and duties compare with those of a delegate from a territory? With those of a member of the House of Representatives.

Suggestive Questions for Discussion.

What is a majority? Two-thirds majority? A tie vote? A quorum? How many votes has the president of each house of the Assembly? Why is the custom of allowing the presiding officer two votes in case of a tie not continued? Can a Porto Rican be appointed as head of an executive department? May an American be elected as member of the House of Delegates? May an American be elected to the position of Resident Commissioner?

What is meant by "veto?" What is a "pocket veto?" Why is the veto power given to the Governor? Name several important laws passed by the last Legislative Assembly, and tell why you consider them important. Can any other person except a member of the Legislative Assembly present a bill? Frame a bill? Mention some franchises granted by the Executive Council. What would be done if the Assembly should

pass a law that is not consistent with the Constitution or the Organic Act?

Which do you consider more important, the Legislative or the executive functions of the various heads of departments? Why?

QUESTIONS ON CHAPTER III.

The Executive Department.

How does the Governor of Porto Rico obtain his position? For how long is he appointed? What is his annual salary? Where is his official residence? Who is our Governor at present? Name two other civil governors that we have had. What powers has the Governor regarding pardons and reprieves? Remissions of fines? Granting respites? Regarding appointments? In regard to legislation? What relation does he hold to the militia? How do the powers of the Governor of Porto Rico compare with those of Governors of territories? What is the duty of the Governor in regard to making reports? Enumerate in a general way the powers and duties of the Governor. To whom is he responsible?

Give the titles of the executive heads of departments. How are they appointed? For how long? State the salary of each. Name the present heads of departments.

What are the duties of the Secretary in regard to recording and preserving the minutes of proceedings? In regard to proclamations, orders and laws? Transmitting copies of laws? To what officials are these copies sent? Under what conditions does he serve as acting governor? What relations does he hold to the Municipalities? Enumerate the powers and duties of the Secretary.

How do the powers and duties of the Attorney-General compare with those of an attorney of a territory? Under what circumstances does he represent the People of Porto Rico? What is his relation to the insular courts? What is his duty in regard to giving legal opinions? In case of official misconduct of an insular employee? In regard to applications for pardons? In regard to bonds of certain officials? What other powers and duties has the Attorney-General? To whom does he make his official report?

What is the amount of the Treasurer's bond? Why should he execute a bond? What are his duties as treasurer proper? As assessor? As collector of taxes? As commissioner of banks and corporations? State his duties in the supervision of the financial affairs of the municipalities. Enumerate the other powers and duties of the Treasurer. Into what bureaus is the treasury department organized? With what does each deal. Why are internal revenue agents necessary? What are the duties of collectors and deputy-collectors?

What are the duties of the Auditor in regard to public money? What other duties are performed by him?

Enumerate the powers and duties of the Commissioner of the Interior. Into what bureaus is his department divided? With what matters does the bureau of public works deal? The bureau of agriculture and mines? The bureau of public lands? The bureau of insular telegraph? The bureau of docks and harbors? What is the duty of the Commissioner in regard to making reports?

What are the general powers and duties of the Commissioner of Education? What are his powers and duties in his relation to school boards? In relation to teachers and superintendents? In regard to books and supplies? Courses of study? Plans for school buildings? The disbursement of insular school funds? The col-

lection of school statistics? Give a brief summary of the powers and duties of the Commissioner of Education.

By what authority was the Office of Health, Charities and Corrections created? How is the Director appointed? What is his remuneration? Of what body must he be a member? What appointing power has the Director? What are his chief duties? Explain the difference between charitable, penal, correctional and sanitary institutions. Give an example of each. What are the duties of the Director regarding institutions supported by insular funds? In regard to institutions supported by cities and villages? In regard to private institutions? In regard to preparing rules and regulations? In regard to supplying provisions and supplies? In regard to making regulations favoring public health? In regard to official reports?

Of how many members is the superior board of health composed? How are they appointed? What can you say about their remuneration? In what capacity does this board act? On what matters does it make recommendations?

Classify the following institutions as charitable, correctional, penal or sanitary: The Insane Asylum; The Boys' Charity School; The Leper Colony; The San Juan Hospital; The Penitentiary; The Girls' Charity School; a cemetery; a municipal hospital; a district jail.

Suggestive Questions for Discussion.

What is meant by pardons? Reprieves? Forfeiture? Respite? To what does the term "militia" apply in Porto Rico? Why does the treasurer of Porto Rico receive a higher salary than the other heads of departments? Why is he required to give a bond? What is meant by bond in this sense? Why is the office of auditor necessary? Why is the auditor some-

times called "the watch-dog of the treasury?" Can money be paid out of the treasury of Porto Rico without being appropriated? What is meant by making an appropriation? Name the different kinds of special schools in Porto Rico. Would our school system give better results if the powers of the Commissioner of Education were more limited, and if the school boards had greater powers? Can an American be appointed as Director of Health, Charities and Corrections? Why should matters affecting health be under public supervision and control? Name two diseases common in Porto Rico and tell what measures are taken to prevent and exterminate them. How does the study of hygiene in the public schools affect public health? Compare the present state of public health with that before the American occupation.

QUESTIONS ON CHAPTER IV.

The Judicial Department.

In what courts is the judicial power of Porto Rico vested? Of how many judges does the Supreme Court consist? How are they appointed? For how long? How many judges are necessary for a quorum? What is the salary of each? Give the names of the present judges? What other officials has the Supreme Court? What jurisdiction has the Supreme Court as a court of appeals? In what cases has it original jurisdiction?

In what cases are appeals from the decision of the Supreme Court of Porto Rico taken to the Supreme Court of the United States?

Into how many judicial districts is Porto Rico divided? What cities are the capitals of these districts? How many judges has a district court? What are the qualifications for a judge of a district court? How are they appointed? For how long? At what salary?

What are the duties of judges of district courts? What are the duties of the special judge? Of a substitute judge?

How does the district marshal obtain his office? How long does he serve? At what salary? What is the amount of his bond? What are his duties? How are deputy-marshals appointed?

How does the secretary of a district court obtain his office? What is the amount of his bond? What is his salary? What are his duties? Who appoints deputy secretaries?

By whom is the stenographer of a district court appointed? At what salary? What is the amount of his bond? State his duties.

How does the district fiscal obtain his position? What are the qualifications for this office? What is his term of office? Salary? State the duties of the district fiscal.

To what cases does the jurisdiction of the district courts extend?

What is said of the writ of Habeas Corpus? Bail and punishment? Trial by jury?

How many municipal judicial districts are there in Porto Rico? Of what officials is the municipal court composed? How do they obtain their positions? Qualifications of municipal judges in the larger towns? What salaries are paid to the municipal judges? What salaries are paid to the secretary and marshal of a municipal court? What are their duties? In what cases has a municipal court jurisdiction? Give the names of the municipal judge, marshal and secretary of the municipal judicial district in which you live.

How does a justice of the peace obtain his office? What salaries are paid to justices in San Juan, Ponce and Mayagüez? In the other towns? Which justice courts have a secretary? By whom is he appointed?

At what salary? What are the duties of a bailiff? From what funds are the officers of a justice court paid? Toward what fund are fines imposed and collected by justices paid? Name the justice of peace of your town.

What officers compose the district court of the United States for Porto Rico? How and for how long are they appointed? What is the compensation of each? What is the jurisdiction of this court? Give examples of cases coming under the jurisdiction of this court? Give the name of the judge, prosecuting attorney and marshal of this court.

Suggestive Questions for Discussion.

What is meant by the term "jurisdiction?" By appellate jurisdiction? Original jurisdiction? What is bail? Why is it required? Explain the difference between a civil and a criminal case, citing examples of each. Explain the difference between a misdemeanor and a felony, giving examples of each. Make a map of Porto Rico, showing the judicial districts into which the island is divided.

QUESTIONS ON CHAPTER V.

The Government of Municipalities.

What is a municipality? How many municipalities are there in Porto Rico. When are municipal elections held? Upon what is the government of the municipalities of Porto Rico modeled? In what body is the legislative power of municipal government vested? How is the council composed? How and when are councilmen elected? For how long? What are the qualifications for councilmen? How are vacancies in the council caused? How filled? How often are meetings of the council held? What consti-

tutes a quorum? Enumerate the powers of the council.

Who is the executive head of a municipality? How, when and for how long is he elected? How are vacancies in this office filled? To whom and on what subjects does the mayor make reports? What municipal officials are appointed by the mayor? Enumerate the other powers and duties of the mayor.

What administrative officials are there in a municipality? What are the duties of the secretary? Treasurer? Comptroller? Inspector of public works? Health officer? Board of charities? What is said of the budget? What are the sources of revenue of a municipality? What power has a municipality in regard to borrowing money? What is the limit of indebtedness fixed by law? By whom are municipal loans approved? What is said of appeals made by tax-payers? What insular officials exercise general supervisory powers over municipal affairs? Compare the various departments of municipal government with those of the insular government.

QUESTIONS ON CHAPTER VI.

Elections.

When and how often are general elections held? What insular and municipal officials are elected by popular vote? Under whose supervision are elections conducted? How are the boards of election appointed? What are their duties? How is the supervisor of elections appointed? What are his duties? What is meant by registration and how is it performed? What is meant by the ballot? What proceedings are followed in the voting-room? How is the result of an election ascertained?

QUESTIONS ON CHAPTER VII.

Education.

How is Porto Rico divided into school districts? How are school boards composed? How and when are directors chosen? What are their qualifications? How are vacancies filled? Who are the officers of a school board? What are the duties of each? Enumerate in a general way the powers and duties of school boards. From what sources is the school fund at the disposal of boards obtained? By what authority is the school tax levied? What is said about auditing accounts of boards? What about the obligations of boards?

By whom are superintendents appointed? What are their duties?

How many different classes of teachers are there in Porto Rico? What are the qualifications for rural teachers? For graded teachers? For principals? For teachers of English? For special teachers? State in a general way the duties of teachers. How do public school teachers obtain their positions?

What is said of compulsory attendance?

QUESTIONS ON CHAPTER VIII.

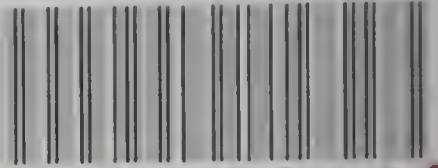
Finance—Roads.

What tariff provisions favor Porto Rico? What is done with the money collected for duties on goods imported into Porto Rico? What power has the government in regard to borrowing money? What limit is placed on the public indebtedness? What is said of the banking laws of the island? What about money? What is said about public property?

Into how many road districts is Porto Rico divided? What body exercises general jurisdiction over roads? What are the qualifications for road supervisor? How long do road supervisors serve? What is the remuneration of road supervisors? What officers are there for a road district? What are the duties of the board of road supervisors?

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