

**TRANSLATION OF THE
PROVINCIAL AND
MUNICIPAL LAWS OF
PUERTO RICO, PP. 1-56**

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SPAIN PUERTO RICO

**TRANSLATION OF THE
PROVINCIAL AND
MUNICIPAL LAWS OF
PUERTO RICO, PP. 1-56**

Spain & laws, statutes, etc., 1886-

(Actos XIII)

TRANSLATION

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PROVINCIAL AND MUNICIPAL LAWS

OF

PUERTO RICO.

DIVISION OF CUSTOMS AND INSULAR AFFAIRS.
WAR DEPARTMENT.

August, 1899.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1899.

ROYAL DECREE.

In view of the provisions of the law of March 15, 1895, authorizing my Government to modify the present provincial government of the island of Puerto Rico, according to the prescriptions mentioned in basis second of article 2 of said law, at the suggestion of the secretary of the colonies and with the concurrence of the council of secretaries,

In the name of my august son, the King, Don Alfonso XIII, and as Queen Regent of the Realm,

I decree the following:

ARTICLE 1. The attached provincial law is hereby approved:

ART. 2. The provincial law approved by this decree shall be promulgated and enforced in the island of Puerto Rico.

Given at the Palace on the 31st day of December, 1896.

MARIA CRISTINA.

TOMAS CASTELLANO Y VILLARROYA,
Colonial Secretary.

PROVINCIAL LAW APPLIED TO THE ISLAND OF PUERTO RICO.

TITLE I.

THE PROVINCE OF PUERTO RICO AND ITS INHABITANTS.

ARTICLE 1. The territory of the island of Puerto Rico and of the adjacent ones constitutes a province of the Spanish nation, and the city of San Juan Bautista de Puerto Rico is the capital thereof.

For the effects of articles 82 and 84, and according to article 89 of the constitution, it is divided into two regions, which shall be called San Juan and Ponce, in each of which there shall reside a delegate of the Governor-General.

ART. 2. The delegates of the Governor-General shall have the category of chiefs of administration of the second class, and they must possess the necessary requisites to be appointed civil governors in the Peninsula.

They shall enjoy the same salary as the latter and shall perform the duties entrusted to them by this law and the other laws in force in the island of Puerto Rico.

ART. 3. The provisions contained in Title I of the municipal law are applicable to the inhabitants of the province in so far as they refer to their status and rights.

TITLE II.

CIVIL ADMINISTRATION OF THE PROVINCE.

CHAPTER I.—*Provincial authorities.*

ART. 4. The following are the administrative authorities of the province:

1. The Governor-General of the island.
2. The provincial deputation.
3. The provincial committee with the character and duties determined by this law.
4. The delegates of the governor.

ART. 5. The Governor-General and his delegates in the regions are appointed and removed by the Government, as well as all the other employees under their orders.

ART. 6. The provincial deputation of the island shall always exercise its duties in full session, and shall be composed of twelve members—that is, six for each region.

They shall remain in office during four years, the corporation being renewed by half every two years by an election which shall take place alternately in the region of San Juan and in that of Ponce.

The provincial deputies shall be elected by the same electors of municipal councils in accordance with the municipal law and in the manner prescribed by the electoral law.

ART. 7. The provincial committee shall be composed of five members appointed in accordance with this law. They shall remain in office for two years.

CHAPTER II.—*Duties of the Governor.*

ART. 8. The Governor-General, and in his place his delegate in the region of San Juan, shall—

1. Preside over the provincial deputation and the committee whenever he is present at their sessions, and shall have a right to vote.

2. Authenticate the minutes of the sessions he may preside over.

3. Communicate and execute the decisions of the deputation and of the committee and see to their exact and punctual fulfillment.

4. Act in the name and represent the province in all its judicial matters, reports, correspondence, and all kinds of communications.

5. Inspect the offices of the province and municipal councils, auditing their cash and other accounts, and examining the archives; see that the laws and general provisions, as well as the decisions, of the deputation are complied with; also see to their execution and prepare all matters it may have to consider. In virtue thereof he shall issue the proper orders, and in cases of omission he shall decide what he may deem best, as well as in cases of negligence or opposition from those charged with their execution, informing the supreme government of all these matters.

6. Suspend the decisions of the provincial deputation and of the municipal councils when it is proper according to this law and to the municipal law, and exercise the powers which the same and the other laws in force grant him.

7. Suspend from their offices the provincial deputies, mayors, deputy mayors, and aldermen in the cases and manner prescribed by this law and by the municipal law.

8. Supplement the provincial and municipal action either by appointing the deputation and municipal councils whenever they do not meet, or completing their number whenever they do not meet in a sufficient number to adopt resolutions, or supplementing the duties of the same corporations should they refuse to execute them, submitting the matter to the colonial secretary after a report from the council of administration.

ART. 9. The deputation shall adopt resolutions on all matters submitted by the Governor-General.

ART. 10. The delegates of the Governor-General shall very carefully see that public order is preserved within the territory of their corresponding region, for which purpose the military authorities shall give them their assistance whenever they request it.

ART. 11. The Governor-General shall designate the person who is to substitute the delegates during their absence or sickness.

ART. 12. The office of delegate of the Governor-General is incompatible with every other provincial or municipal office of any kind whatsoever, without prejudice to the provisions of the preceding article.

CHAPTER III.—*Organization and mode of procedure of the provincial deputation.*

ART. 13. The procedure for the election of provincial deputies shall be subject to the provisions of the electoral law.

ART. 14. All persons having the necessary requisites to be deputies to the Cortes and who reside within the province may be provincial deputies.

The following can not be provincial deputies in any case whatsoever:

1. Deputies to the Cortes.
2. Mayors, deputy mayors, and aldermen.
3. Employees of the State, province, or municipality holding office.
4. All persons directly or indirectly interested in services, contracts, or the furnishing of supplies within the province and for account of the same, of the State or of the municipal councils.
5. All persons holding public offices which by special laws are declared incompatible with that of provincial deputy.
6. All persons engaged in administrative or judicial litigation with the deputation or with the establishment subject to and under the administration of the same.

The same persons to whom this right is granted may excuse themselves from holding the offices of councilors, according to article 43 of the municipal law.

ART. 15. The election of provincial deputies shall take place during the first fifteen days of the month of September.

ART. 16. The deputies elected shall present their certificates of election in the office of the secretary of the deputation eight days before that on which the sessions are to begin. On this day, without previous call, the deputies who may have presented their certificates shall meet under the chairmanship of the Governor-General or his delegate and shall proceed to the temporary organization of the deputation.

ART. 17. The provincial deputation shall be temporarily organized under the chairmanship of the oldest member, and the two youngest amongst those present shall act as secretaries.

ART. 18. After the deputation has been temporarily organized, and during the same session, it shall elect two committees, each composed of three members; the first committee shall investigate the certificates

already presented and those that may be subsequently presented by the interested parties; the second committee shall investigate the certificates of the members composing the former. Both committees shall immediately present their reports to the provincial deputation, which, in view thereof, shall proceed instantly to approve, in a proper case, the certificates and the legal capacity of the elected members, and decide on all claims and protests arising from the election, as well as all questions in reference to its own organization in accordance with the laws.

An appeal lies to the territorial audiencia of the island against these decisions of the provincial deputation.

ART. 19. After the certificates against which there is no protest affecting the legality of the election are approved, and in order to definitely organize itself, the deputation shall proceed to elect from amongst its members a president, a vice-president, and two secretaries to act as such at all the sessions to be held until its renewal.

ART. 20. The deputies who may not have presented their certificates for the final organization shall be considered as having renounced the office.

The deputation shall declare the vacancy and communicate the same to the Governor-General, who shall order a partial election to be held at the time and in the manner prescribed by law.

ART. 21. Should the deputation order the annulment of a certificate, it shall communicate its decision to the Governor-General, who shall immediately order its publication in the *Gaceta*.

ART. 22. This decision shall be final, and in consequence thereof the partial election shall be held, if the interested party does not appeal from it within eight days to the audiencia of the territory.

ART. 23. The provincial deputation shall meet only in the capital of the province every year on the first working day of the months of April and November.

ART. 24. The first session of each period shall be inaugurated by the Governor-General or his delegate in San Juan, in the name of the government.

ART. 25. The office of deputy is without compensation, honorary and subject to liability, and can not be renounced after having been accepted except for just cause.

ART. 26. The extraordinary vacancies occurring for any reason whatsoever shall be filled by partial election, whenever an ordinary session of the deputation is to be held before the general renewal.

When a vacancy occurs by reason of administrative or judicial suspension, or after the period above-mentioned, the Governor-General shall temporarily fill it with any person who may have already held the office of provincial deputy by election.

The person appointed shall continue to hold the office until the suspension of the deputy whose place he is filling is finally decided upon,

or until the first renewal should the former discontinue on account of the series established.

ART. 27. In case of permanent removal, the first renewal shall take place two years thereafter, those representing the first region discontinuing their tenure of office, namely, at the first ordinary election to be held after the lapse of said period of time.

ART. 28. The provincial deputation shall have the power to accept or refuse resignations and to declare vacancies in accordance with the provisions of this law.

The Governor-General shall order ordinary and extraordinary elections whenever they are to be held according to law and in the manner prescribed by the same.

The elections shall be announced within the five days following that on which they were decided upon, and shall take place within a period not less than fifteen days nor more than thirty after the call.

ART. 29. The deputation shall determine at its first session of each semiannual period the number of sessions it shall hold during the same. Should it be necessary, it may order an adjournment.

Should any causes arise during sessions which should render their continuance dangerous, the Governor-General may suspend or adjourn them immediately, notifying the Government of his action.

ART. 30. The deputation shall meet in extraordinary session whenever in the opinion of the Governor-General he considers it necessary to take action on any special question.

ART. 31. The Governor-General shall issue a call notifying in writing and at his domicile each one of the members eight days beforehand, stating the object of the session, if an extraordinary one is in question. The session shall be advertised in the *Gaceta de Puerto Rico* the same period in advance.

ART. 32. When the Governor-General considers on account of special reasons that public order may be endangered if an extraordinary session takes place, he shall suspend the call.

ART. 33. The sessions of the provincial deputation shall be public, except in the cases when for special reasons it is advisable that they be secret.

An extract of the minutes of the sessions shall be published in the *Gaceta de Puerto Rico*.

ART. 34. Attendance at the sessions is obligatory. Any deputy who, without a legitimate and justifiable reason, does not comply with the provisions of this article, shall incur a fine of twenty-five pesetas for each offence, being, moreover, liable for any damages arising from his tardiness.

Any deputy who shall find it necessary to absent himself shall notify the delegate of the Governor-General; otherwise he shall incur the liabilities mentioned in the preceding paragraph.

During the sessions permission from the deputation is required to