

SUBCHAPTER IV—THE JUDICIARY

§ 861. Repealed. July 3, 1950, ch. 446, § 5(2), 64 Stat. 320

Section, acts Mar. 2, 1917, ch. 145, § 40, 39 Stat. 965; May 17, 1932, ch. 190, 47 Stat. 158, vested judicial power in courts established and in operation on Mar. 2, 1917, provided for appointment of chief justice and associate justices of the supreme court by President with advice and consent of United States Senate, and authorized Puerto Rican legislature to organize, modify or rearrange the courts and their jurisdiction and procedure, except United States District Court.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective July 25, 1952, see note set out under section 732 of this title.

§ 862. Omitted**Editorial Notes**

CODIFICATION

Section, act Sept. 21, 1922, ch. 365, 42 Stat. 993, conferred on the courts of Puerto Rico jurisdiction of offenses under act Oct. 28, 1919, ch. 85, 41 Stat. 305, the National Prohibition Act.

§ 863. Repealed. Pub. L. 91-272, § 13, June 2, 1970, 84 Stat. 298

Section, acts Mar. 2, 1917, ch. 145, § 41, 39 Stat. 965; Feb. 25, 1919, ch. 29, § 1, 40 Stat. 1156; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1412; Mar. 4, 1923, ch. 295, 42 Stat. 1560; Dec. 13, 1926, ch. 6, § 1, 44 Stat. 919; May 17, 1932, ch. 190, 47 Stat. 158; Mar. 26, 1938, ch. 51, § 2, 52 Stat. 118; July 31, 1946, ch. 704, 60 Stat. 716; June 25, 1948, ch. 646, § 20, 62 Stat. 989, set out jurisdiction of United States District Court for District of Puerto Rico and provided for salaries of judge and officials of the court and for filling of vacancies. Section 34 of act Apr. 12, 1900, ch. 191, 31 Stat. 84, formerly cited as a credit to this section, was not repealed by act June 2, 1970.

Statutory Notes and Related Subsidiaries

SAVINGS PROVISION

Pub. L. 91-272, § 13, June 2, 1970, 84 Stat. 298, as amended by Pub. L. 91-450, Oct. 14, 1970, 84 Stat. 922, provided in part that nothing in the repeal of Act Mar. 2, 1917, as amended, by said section 13 would impair the jurisdiction of the United States District Court for the District of Puerto Rico to hear and determine any action or matter begun in the court on or before June 2, 1970.

§ 864. Appeals, certiorari, removal of causes, etc.; use of English language

The laws of the United States relating to appeals, certiorari, removal of causes, and other matters or proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the United States District Court for the District of Puerto Rico and the courts of Puerto Rico.

All pleadings and proceedings in the United States District Court for the District of Puerto Rico shall be conducted in the English language.

(Apr. 12, 1900, ch. 191, § 35, 31 Stat. 85; Mar. 2, 1917, ch. 145, § 42, 39 Stat. 966; Feb. 13, 1925, ch. 229, § 13, 43 Stat. 942; Jan. 31, 1928, ch. 14, § 1, 45

Stat. 54; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1948, ch. 646, § 21, 62 Stat. 990.)

Editorial Notes

REFERENCES IN TEXT

The laws of the United States relating to appeals, certiorari, removal of causes, and other matters or proceedings, referred to in text, are classified to Title 28, Judiciary and Judicial Procedure.

CODIFICATION

“United States District Court for the District of Puerto Rico” substituted in text for “District Court of the United States for Puerto Rico” in view of section 132(a) of Title 28, Judiciary and Judicial Procedure, which states that “There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district” and section 119 of Title 28, which states that “Puerto Rico constitutes one judicial district.”

PRIOR PROVISIONS

Act Mar. 3, 1911, ch. 231, § 244, 36 Stat. 1157, related to direct appeals from The Supreme Court and the United District Court for Puerto Rico to the United States Supreme Court, prior to repeal by act Jan. 28, 1915, ch. 22, § 3, 38 Stat. 804.

Provisions similar to those in this section were contained in act Apr. 12, 1900, ch. 191, § 34, 31 Stat. 84.

AMENDMENTS

1948—Act June 25, 1948, amended section generally, and struck out provisions relating to the term of district court and appeals to the circuit court.

1928—Act Jan. 31, 1928, abolished writ of error in civil and criminal cases and made all relief formerly obtained by writ of error obtainable by appeal.

1925—Act Feb. 13, 1925, ch. 229, § 13, repealed provisions of this section permitting a direct review by the Supreme Court of cases in the courts in Puerto Rico.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Puerto Rico” substituted in text for “Porto Rico” pursuant to act May 17, 1932, which is classified to section 731a of this title.

EFFECTIVE DATE OF 1948 AMENDMENT

Amendment by act June 25, 1948, effective Sept. 1, 1948, see section 38 of that act, set out as an Effective Date note preceding section 1 of Title 28, Judiciary and Judicial Procedure.

REPEALS

Section 39 of act June 25, 1948, repealed section 1 of act Feb. 13, 1925, ch. 229, 43 Stat. 936, formerly cited as a credit to this section, which authorized review in the Circuit Court of Appeals in the First Circuit.

§ 865. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992

Section, acts Mar. 2, 1917, ch. 145, § 43, 39 Stat. 966; Feb. 13, 1925, ch. 229, § 13, 43 Stat. 942; Jan. 31, 1928, ch. 14, § 1, 45 Stat. 54, related to writs of error and appeals. See section 1294 of Title 28, Judiciary and Judicial Procedure.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1948, see section 38 of act June 25, 1948, set out as an Effective Date note preceding section 1 of Title 28, Judiciary and Judicial Procedure.