

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

(Mar. 2, 1917, ch. 145, §48, 39 Stat. 967; Mar. 4, 1927, ch. 503, §7, 44 Stat. 1421; May 17, 1932, ch. 190, 47 Stat. 158.)

Editorial Notes

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”.

AMENDMENTS

1927—Act Mar. 4, 1927, added second paragraph.

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.

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 Repealed.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

Section, acts Mar. 2, 1917, ch. 145, §49, 39 Stat. 967; May 17, 1932, ch. 190, 47 Stat. 158, related to appointment of judges, marshals and secretaries.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

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

§ 873a. Repealed. June 25, 1948, ch. 646, §39, 62 Stat. 992

Section, act Feb. 12, 1940, ch. 25, §1, 54 Stat. 22, which related to rules governing civil cases. See section 2072 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.

§ 874. Judicial process; officials to be citizens of United States; oath

All judicial process shall run in the name of “United States of America, ss, the President of the United States”, and all penal or criminal prosecutions in the local courts shall be conducted in the name and by the authority of “The People of Puerto Rico.” All officials shall be citizens of the United States, and, before entering upon the duties of their respective offices, shall take an oath to support the Constitution of the United States and the laws of Puerto Rico.

(Mar. 2, 1917, ch. 145, §10, 39 Stat. 954; May 17, 1932, ch. 190, 47 Stat. 158.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in act Apr. 12, 1900, ch. 191, §16, 31 Stat. 81.

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.

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 Repealed.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

Section 875, act Mar. 2, 1917, ch. 145, §55, 39 Stat. 968, related to continuation of court’s jurisdiction.

Section 876, act Jan. 7, 1913, ch. 6, 37 Stat. 648, related to temporary judge.

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.

SUBCHAPTER V—RESIDENT COMMISSIONER

§ 891. Resident Commissioner; election

The qualified electors of Puerto Rico shall choose a Resident Commissioner to the United States at each general election, whose term of office shall be four years from the 3d of January following such general election, and who shall be entitled to receive official recognition as such commissioner by all of the departments of the Government of the United States, upon presentation, through the Department of State, of a certificate of election of the Governor of Puerto Rico.

(Mar. 2, 1917, ch. 145, §36, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158; June 5, 1934, ch. 390, §5, 48 Stat. 879.)

Editorial Notes

CODIFICATION

Section is comprised of second sentence of section 36 of act Mar. 2, 1917. The first sentence of section 36, providing for election of a Resident Commissioner to the United States at the next general election for a term commencing with date of issuance of certificate of election and terminating Mar. 4, 1921, was omitted. Parts of the third and fourth sentences of section 36 are classified to section 893 of this title. The other part of the third sentence of section 36, which fixed the salary of the commissioner at \$7,500 per annum, was superseded by act Feb. 26, 1907, ch. 1635, §4, 34 Stat. 993, as amended by act Mar. 4, 1925, ch. 549, §4, 43 Stat. 1301. See Prior Provisions note under section 31 of Title 2, The Congress. The other part of the fourth sentence of section 36, which allowed the commissioner \$500 as mileage, was classified to former section 46 of Title 2 and was omitted from the Code as superseded by former section 43b-1 of Title 2. The fifth and sixth sentences of section 36 are classified to section 892 of this title.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in act Apr. 12, 1900, ch. 191, §39, 31 Stat. 86.

The salary allowed by section 39 of act Apr. 12, 1900, was increased by act Feb. 26, 1907, ch. 1635, §4, 34 Stat. 993.