§ 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 Repealed.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 Section 34 of act Apr. 12, 1900, ch. 191, 31 Stat. 84, formerly cited as a credit to this section, was not repealed by act June 2, 1970.

SAVINGS PROVISION

Section 13 of Pub. L. 91–272, 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.)

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.

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.

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.

§ 866. Omitted

CODIFICATION

Section, act Apr. 12, 1900, ch. 191, § 35, 31 Stat. 85, provided that all proceedings in Supreme Court of United States to review decisions of Supreme Court of Puerto Rico and the District Court of the United States for Puerto Rico, should be conducted in the English language.

§ 867. Repealed. Pub. L. 90–274, § 103(g), Mar. 27, 1968, 82 Stat. 63

Section, acts Mar. 2, 1917, ch. 145, § 44, 39 Stat. 966; May 17, 1932, ch. 190, 47 Stat. 158, set out qualifications for jurors in District Court of United States for Puerto Rico as different from those set by local law and directed that juries be selected, drawn, and subject to exemption in accordance with laws of Congress insofar as locally applicable.

EFFECTIVE DATE OF REPEAL

Repeal effective 270 days after Mar. 27, 1968, except as to cases in which an indictment is returned or petit jury is empaneled prior to such effective date, see section 104 of Pub. L. 90–274, set out as an Effective Date of 1968 Amendment note under section 1861 of Title 28, Judiciary and Judicial Procedure.

§ 868. Fees part of United States revenues

All fees, fines, costs, and forfeitures as would be deposited to the credit of the United States if collected and paid into a district court of the United States shall become revenues of the United States when collected and paid into the United States District Court for the District of Puerto Rico. The sum of $500 a year from such fees, fines, costs, and forfeitures shall be retained by the clerk and expended for law library purposes under the direction of the judge.

(Mar. 2, 1917, ch. 145, § 45, 39 Stat. 966; May 17, 1932, ch. 190, 47 Stat. 158.)

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

Provisions similar to those in this section were contained in act Mar. 2, 1901, ch. 812, § 2, 31 Stat. 953.

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.

§ 869. Fees payable by United States out of revenue of Puerto Rico

Such fees and expenses as are payable by the United States if earned or incurred in connection with a district court of the United States shall be paid from the revenue of Puerto Rico if earned or incurred in connection with the United States District Court for the District of Puerto Rico.

(Mar. 2, 1901, ch. 812, § 2, 31 Stat. 953; May 17, 1932, ch. 190, 47 Stat. 158.)

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''.

Section was not enacted as part of the Puerto Rican Federal Relations Act which comprises this chapter.

As originally enacted, so much of section 2 of act Mar. 2, 1901, as is pertinent here, was as follows: ''Such fees and expenses as are payable by the United States, if earned or incurred in connection with a circuit or district court of the United States, shall be paid from the revenues of Porto Rico, if earned or incurred in connection with the district court of the United States for Porto Rico.''

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.

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

Section, acts Mar. 2, 1917, ch. 145, § 46, 39 Stat. 966; Feb. 26, 1919, ch. 49, §§ 2, 4, 40 Stat. 1182; Aug. 7, 1939, ch. 501, § 6, 53 Stat. 1226, related to salaries of district court officials. See section 604 of Title 28, Judiciary and Judicial Procedure.

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.

§ 871. Omitted

CODIFICATION

Section, acts Mar. 2, 1917, ch. 145, § 47, 39 Stat. 967; May 17, 1932, ch. 190, 47 Stat. 158, which related to fees and mileage of jurors and witnesses, was superseded by sections 1821, 1825 and 1871 of Title 28, Judiciary and Judicial Procedure.

§ 872. Habeas corpus; mandamus; suit to restrain assessment or collection of taxes

The supreme and district courts of Puerto 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.

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

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.

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.

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.

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 enter-