

representatives; and if not claimed within the period of one year, such clerk shall pay the same into the treasury of the Territory in which the lands may be situated, for the benefit of the available school fund of said Territory. The defendant in any such escheat proceedings may, at any time before final judgment, suggest and show to the court that he has conformed with the law, either becoming a bona fide resident of the United States, or by declaring his intention of becoming a citizen of the United States, or by the doing or happening of any other act which, under the provisions of this chapter, would entitle him to hold or own real estate, which being admitted or proved, such suit shall be dismissed on payment of costs and a reasonable attorney fee to be fixed by the court.

(Mar. 3, 1887, ch. 340, § 6, as added Mar. 2, 1897, ch. 363, 29 Stat. 619.)

CODIFICATION

Section was formerly classified to section 76 of Title 8, Aliens and Nationality.

§ 1507. Public lands

This chapter shall not in any manner be construed to authorize aliens to acquire title from the United States to any of the public lands of the United States or to in any manner affect or change the laws regulating the disposal of the public lands of the United States.

(Mar. 3, 1887, ch. 340, § 7, as added Mar. 2, 1897, ch. 363, 29 Stat. 619; amended Feb. 23, 1905, ch. 733, § 1, 33 Stat. 733.)

CODIFICATION

Act Feb. 23, 1905, set out as section 1508 of this title, made sections 1501 to 1507 of this title applicable to the District of Columbia, on the basis of which certain provisions of this section were omitted.

Section was formerly classified to section 77 of Title 8, Aliens and Nationality.

§ 1508. Application to District of Columbia

Aliens shall have the same rights and privileges concerning the acquisition, holding, owning, and disposition of real estate in the District of Columbia as are conferred upon aliens in respect of real estate in the Territories of the United States by this chapter.

(Feb. 23, 1905, ch. 733, § 1, 33 Stat. 733.)

CODIFICATION

Section was formerly classified to section 78 of Title 8, Aliens and Nationality.

Section was not enacted as part of act Mar. 3, 1887, ch. 340, 24 Stat. 476, which comprises this chapter.

REPEALS

Section 2 of act Feb. 23, 1905, repealed all laws and parts of laws so far as they conflict with the provisions of this section.

§§ 1509 to 1512. Omitted

CODIFICATION

Sections 1509 to 1512, relating to Territory of Hawaii, were omitted in view of the admission of Hawaii into the Union. Sections were formerly classified to sections 83 to 86 of Title 8, Aliens and Nationality.

Section 1509, acts Apr. 30, 1900, ch. 339, § 73(f), 31 Stat. 154; May 27, 1910, ch. 258, § 5, 36 Stat. 444; July 9, 1921,

ch. 42, § 304, 42 Stat. 117, set out requirements for aliens who would be entitled to receive any certificate of occupation, right of purchase lease, cash freehold agreement, or special homestead agreement in public lands in Hawaii. Section was also classified to section 667 of this title.

Section 1510, acts Apr. 30, 1900, ch. 339, § 73(g), 31 Stat. 154; May 27, 1910, ch. 258, § 5, 36 Stat. 444; July 9, 1921, ch. 42, § 304, 42 Stat. 117, restricted conveyance or other transfer of public lands in Hawaii to aliens. Section was also classified to section 668 of this title.

Section 1511, acts Apr. 30, 1900, ch. 338, § 73(j), 31 Stat. 154; May 27, 1910, ch. 258, § 5, 36 Stat. 444; July 9, 1921, ch. 42, § 306, 42 Stat. 118, gave commissioner, with approval of governor, the right to give preferences in purchasing of public lands. Section was also classified to section 671 of this title.

Section 1512, acts Apr. 30, 1900, ch. 339, § 73(l), 31 Stat. 154; May 27, 1910, ch. 258, § 5, 36 Stat. 444; July 9, 1921, ch. 42, § 308, 42 Stat. 118, authorized sale of agricultural land in Hawaii for residential purposes to persons declaring intention to become citizens. Section was also classified to section 673 of this title.

CHAPTER 12—VIRGIN ISLANDS

SUBCHAPTER I—GENERAL PROVISIONS

- Sec. 1541. Organization and status.
 - (a) Composition and territorial designation.
 - (b) Powers and legal status of government; capital and seat of government.
 - (c) Administrative supervision by Secretary of the Interior.
- 1542. Voting franchise; discrimination prohibited.
- 1543. United States citizenship requirement for government officials.
- 1544. Reports by Governor; jurisdiction of Secretary of the Interior; exceptions.
- 1545. Lease and sale of public property; conveyance of title in certain lands to the government of Virgin Islands.
- 1546. Authorization of appropriations.

SUBCHAPTER II—BILL OF RIGHTS

- 1561. Rights and prohibitions.

SUBCHAPTER III—LEGISLATIVE BRANCH

- 1571. Legislature.
 - (a) Designation and unicameral character.
 - (b) Composition; legislative districts; method of elections.
- 1572. Legislators.
 - (a) Terms of office.
 - (b) Qualifications of members.
 - (c) Appointment of electoral officers; popular election of members of boards of election.
 - (d) Immunity of members.
 - (e) Compensation and allowances.
 - (f) Limitations on holding other office.
 - (g) General powers; parliamentary rules.
 - (h) Vacancies.
- 1573. Time, frequency, and duration of regular sessions; special sessions; place of holding.
- 1574. Legislative powers and activities.
 - (a) Scope of authority; limitation on enactments and taxation.
 - (b) Government bonds; maximum amount; sale, interest, etc.
 - (c) Applicability of laws and ordinances; amendment or repeal.
 - (d), (e) Repealed.
 - (f) Customs duty; duty-free importation; effect on other customs laws.
- 1574-1. Applicability of laws referred to in section 502(a)(1) of Covenant to Establish a Commonwealth of the Northern Mariana Islands.

- | | |
|--|---|
| <p>Sec.
1574a. Revenue bonds or other obligations.
 (a) Authorization for issuance; use of proceeds; legislative initiative and binding referendum vote.
 (b) Federal guarantee.
 (c) Limitations on issuance.</p> <p>1574b. Federal guarantee for issuance of revenue bonds or other obligations.
 (a) Application to Secretary of the Interior; contents.
 (b) Terms and conditions of guarantee or commitment to guarantee; determination by Secretary of approval.
 (c) Administrative costs; deposit of fees.
 (d) Conclusiveness and incontestability; pledge of full faith and credit.
 (e) Interest on guaranteed obligations taxable.
 (f) Maximum amount guaranteed; time limitations on commitments to guarantee, obligation of guaranteed but unobligated funds, and repayment of unobligated proceeds of bonds or other obligations.
 (g) Revolving fund; establishment; submission of budget to Congress; payments; transfers from fund to general fund of Treasury; issuance and sale of notes or other obligations for guarantees.</p> <p>1574c. Priority for payment of principal and interest of revenue bonds or other obligations.</p> <p>1574d. Repealed.</p> <p>1575. Legislative procedure.
 (a) Quorum and method of voting on bills.
 (b) Enacting clause of acts.
 (c) Governor's message and budget.
 (d) Approval and disapproval of bills.
 (e) Use of prior appropriations upon failure to pass appropriation bills.
 (f) Journal of proceedings; contents.
 (g) Transmittal of laws to Congress.</p> <p>1576. General elections; time; transfer of Council functions, property, etc.</p> <p style="text-align: center;">SUBCHAPTER IV—EXECUTIVE BRANCH</p> <p>1591. Governor and Lieutenant Governor; election; eligibility; official residence; powers and duties; report.</p> <p>1592. Repealed.</p> <p>1593. Initiative and recall.
 (a) Grant of rights.
 (b) Initiative.
 (c) Recall.
 (d) "Law" and "voter" defined.</p> <p>1594. Repealed.</p> <p>1595. Vacancy in office of Governor or Lieutenant Governor.
 (a) Temporary disability or temporary absence of Governor.
 (b) Permanent vacancy in office of Governor; Lieutenant Governor as Governor; term of office.
 (c) Temporary disability or temporary absence of Lieutenant Governor; president of legislature as Lieutenant Governor.
 (d) Permanent vacancy in office of Lieutenant Governor; Governor to appoint new Lieutenant Governor with advice and consent of legislature; term of office.
 (e) Temporary disability or temporary absence of Governor and Lieutenant Governor; appointment of Acting Governor; permanent vacancies in offices of Governor and Lieutenant Governor; appointment of Governor.</p> | <p>Sec.
1596. Repealed.</p> <p>1597. Reorganization of government.
 (a) Consolidation of departments, bureaus, etc.; popular election of school board members.
 (b) Changes after examination from time to time.
 (c) Appointment of department heads; tenure; removal; powers and duties; appointments to boards, etc.</p> <p>1598. Omitted.</p> <p>1599. Transfer of functions from government comptroller for Virgin Islands to Inspector General, Department of the Interior.
 (a) Functions, powers, and duties transferred.
 (b) Scope of authority transferred.
 (c) Transfer of personnel, assets, etc., of office of government comptroller for Virgin Islands to Office of Inspector General, Department of the Interior.</p> <p style="text-align: center;">SUBCHAPTER V—JUDICIAL BRANCH</p> <p>1611. District Court of Virgin Islands; local courts; jurisdiction; practice and procedure.
 (a) District Court of Virgin Islands; local courts.
 (b) Jurisdiction.
 (c) Practice and procedure.</p> <p>1612. Jurisdiction of District Court.
 (a) Jurisdiction.
 (b) General jurisdiction; limitations.
 (c) Criminal offenses; concurrent jurisdiction with local courts.</p> <p>1613. Relations between courts of United States and courts of Virgin Islands; review by United States Court of Appeals for Third Circuit; reports to Congress; rules.</p> <p>1613a. Appellate jurisdiction of District Court; procedure; review by United States Court of Appeals for Third Circuit; rules; appeals to appellate court.
 (a) Appellate jurisdiction of District Court.
 (b) Appellate division of District Court; quorum; presiding judge; designation of judges; decisions.
 (c) United States Court of Appeals for Third Circuit; jurisdiction; appeals; rules.
 (d) Appeals to appellate court; effect on District Court.</p> <p>1614. Judges of District Court.
 (a) Appointment; tenure; removal; chief judge; compensation.
 (b) Criminal offenses; procedure; definitions; indictment and information.
 (c) United States marshal.</p> <p>1615. Judicial divisions.</p> <p>1616. Trial by jury.</p> <p>1617. United States attorney; appointment; duties.</p> <p style="text-align: center;">SUBCHAPTER VI—SYSTEM OF ACCOUNTS</p> <p>1631. Establishment and maintenance; scope.</p> <p>1632. Repealed.</p> <p style="text-align: center;">SUBCHAPTER VII—FISCAL PROVISIONS</p> <p>1641. Method of payment of official salaries.</p> <p>1642. Use of certain proceeds for expenditure; income tax obligations of inhabitants.</p> <p>1642a. Availability of collected customs duties for expenditures as Legislature may provide.</p> <p>1643. Import provisions with respect to trademarks.</p> <p>1644. Import duties on articles entering United States or possessions from Virgin Islands.</p> <p>1645. Remittance of duties, taxes, and fees to be collected in next fiscal year; authorization, prerequisites, amount, etc.</p> |
|--|---|

Sec.

CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM:
ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION

Pub. L. 94-584, Oct. 21, 1976, 90 Stat. 2899, as amended by Pub. L. 96-597, title V, §501, Dec. 24, 1980, 94 Stat. 3479, provided:

“[Section 1. Authorization to organize governments] That the Congress, recognizing the basic democratic principle of government by the consent of the governed, authorizes the peoples of the Virgin Islands and of Guam, respectively, to organize governments pursuant to constitutions of their own adoption as provided in this Act.

“SEC. 2. [Constitutional conventions and draft provisions] (a) The Legislatures of the Virgin Islands and Guam, respectively, are authorized to call constitutional conventions to draft, within the existing territorial-Federal relationship, constitutions for the local self-government of the people of the Virgin Islands and Guam.

“(b) Such constitutions shall—

“(1) recognize, and be consistent with, the sovereignty of the United States over the Virgin Islands and Guam, respectively, and the supremacy of the provisions of the Constitution, treaties, and laws of the United States applicable to the Virgin Islands and Guam, respectively, including, but not limited to, those provisions of the Organic Act [section 1405 et seq. of this title] and Revised Organic Act of the Virgin Islands [this chapter] and the Organic Act of Guam [section 1421 et seq. of this title] which do not relate to local self-government.

“(2) provide for a republican form of government, consisting of three branches: executive, legislative, and judicial;

“(3) contain a bill of rights;

“(4) deal with the subject matter of those provisions of the Revised Organic Act of the Virgin Islands of 1954, as amended, and the Organic Act of Guam, as amended, respectively, which relate to local self-government;

“(5) with reference to Guam, provided that the voting franchise may be vested only in residents of Guam who are citizens of the United States;

“(6) provide for a system of local courts consistent with the provisions of the Revised Organic Act of the Virgin Islands, as amended; and

“(7) provide for the establishment of a system of local courts the provisions of which shall become effective no sooner than upon the enactment of legislation regulating the relationship between the local courts of Guam with the Federal judicial system.

“SEC. 3. [Selection and qualification of members] The members of such constitutional conventions shall be chosen as provided by the laws of the Virgin Islands and Guam, respectively (enacted after the date of enactment of this Act [Oct. 21, 1976]): *Provided, however*, That no person shall be eligible to be a member of the constitutional conventions, unless he is a citizen of the United States and qualified to vote in the Virgin Islands and Guam, respectively.

“SEC. 4. [Submittal of proposed constitutions to governors and President] The conventions shall submit to the Governor of the Virgin Islands a proposed constitution for the Virgin Islands and to the Governor of Guam a proposed constitution for Guam which shall comply with the requirements set forth in section 2(b) above. Such constitutions shall be submitted to the President of the United States by the Governors of the Virgin Islands and Guam.

“SEC. 5. [Transmittal to Congress and submittal to voters] Within sixty calendar days after the respective date on which he has received each constitution, the President shall transmit such constitution together with his comments to the Congress. The constitution, in each case, shall be deemed to have been approved by the Congress within sixty legislative days (not interrupted by an adjournment sine die of the Congress) after its submission by the President, unless prior to

that date the Congress has approved the constitution, or modified or amended it, in whole or in part, by joint resolution. As so approved or modified, the constitutions shall be submitted to the qualified voters of the Virgin Islands and Guam, respectively, for acceptance or rejection through islandwide referendums to be conducted as provided under the laws of the Virgin Islands and Guam, respectively, (enacted after the date of enactment of this Act) [Oct. 21, 1976]. Upon approval by not less than a majority of the votes (counting only the affirmative or negative votes) participating in such referendums, the constitutions shall become effective in accordance with their terms.”

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1469a-1, 1645 of this title.

SUBCHAPTER I—GENERAL PROVISIONS

§ 1541. Organization and status

(a) Composition and territorial designation

The provisions of this chapter and the name “Virgin Islands” as used in this chapter, shall apply to and include the territorial domain, islands, cays, and waters acquired by the United States through cession of the Danish West Indian Islands by the convention between the United States of America and His Majesty the King of Denmark entered into August 4, 1916, and ratified by the Senate on September 7, 1916 (39 Stat. 1706). The Virgin Islands as above described are declared an unincorporated territory of the United States of America.

(b) Powers and legal status of government; capital and seat of government

The government of the Virgin Islands shall have the powers set forth in this chapter and shall have the right to sue by such name and in cases arising out of contract, to be sued: *Provided*, That no tort action shall be brought against the government of the Virgin Islands or against any officer or employee thereof in his official capacity without the consent of the legislature constituted by subchapter III of this chapter.

The capital and seat of government of the Virgin Islands shall be located at the city of Charlotte Amalie, in the island of Saint Thomas.

(c) Administrative supervision by Secretary of the Interior

The relations between such government and the Federal Government in all matters not the program responsibility of another Federal department or agency shall be under the general administrative supervision of the Secretary of the Interior.

(July 22, 1954, ch. 558, §2, 68 Stat. 497; Pub. L. 90-496, §13, Aug. 23, 1968, 82 Stat. 842.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original “this Act”, meaning act July 22, 1954, ch. 558, 68 Stat. 497, as amended, known as the Revised Organic Act of the Virgin Islands, which enacted this chapter, amended sections 104 and 111 of Title 21, Food and Drugs, and section 3350 of former Title 26, Internal Revenue Code (see section 7652(b)(3) of Title 26), and enacted provisions set out as notes under this section. For complete classification of this Act to the Code, see Short Title note below and Tables.

AMENDMENTS

1968—Subsec. (c). Pub. L. 90-496 added subsec. (c).