

against all parties whose interest therein is subsequent to the date of the filing of the first notice of the accident with the Commissioner of the Interior: *Provided*, That any person affected by said notice of attachment may release the automobile from said notice, in case no attachment is made, by filing a bond in an amount to be fixed by the Commissioner of the Interior, and in case an attachment has been issued by an order of the court, to the amount of the claim made in the suit. None of the provisions of this section shall apply to persons on whose behalf a public-service motor vehicle is operated under a franchise granted by the Executive Council in accordance with the provisions of law regulating the granting of franchises, when the condition of such franchise is that a bond shall be given in an amount not less than the value of each automobile operated under such franchise.

Section 16.—That the owner of a motor vehicle shall be obliged to furnish the Commissioner of the Interior with all the information he may have relative to the identity of any person driving such vehicle at a time when an accident has occurred in connection with the operation of such vehicle. When such information is not furnished with reasonable promptness, the Commissioner of the Interior may suspend the license for the operation of such vehicle. In any action brought under the provisions of this Act, the proof of the license number of a motor vehicle shall be held to be presumptive evidence that the person registered as the owner of such vehicle was operating it at the time: *Provided*, That if such owner shall submit to examination under oath as to who was operating the vehicle at the time in question and shall state under oath the name of another person as operating such vehicle at such time, the presumptive evidence shall be overcome and removed and the burden of proof shifted.

Section 17.—That the owner of any motor vehicle shall be responsible for damage caused by the negligence of the operator or *chaffeur* while such owner is in the vehicle.

Section 18.—That violations of the provisions of this Act shall be considered as misdemeanors and shall be punishable by a fine of not less than five nor more than three hundred dollars, or by imprisonment for not less than five days nor more than three months.

Section 19.—That none of the provisions of this Act providing for a penalty shall be construed as preventing conviction and punishment under any of the provisions of the Penal Code.

Section 20.—That section 10, paragraphs (a) to (m) inclusive, section 18, and sections 33 to 49, inclusive, of an Act approved March 10, 1910, entitled "An Act to provide for the maintenance and policing of public roads in the Island of Porto Rico and to regulate the speed and provide for the licensing of automobiles, and for other purposes," and the Act approved March 13, 1913, entitled "An Act to regulate traffic and prevent damages to roads and bridges," and all other acts or parts of acts in conflict with the provisions of this Act are hereby repealed.

Section 21.—This Act shall take effect on and after July 1, 1916.

*Approved April 13, 1916.*

[No. 76.]

AN ACT

TO AUTHORIZE SUITS AGAINST THE PEOPLE OF PORTO RICO.

*Be it enacted by the Legislative Assembly of Porto Rico:*

Section 1.—The district courts of Porto Rico shall hereafter be authorized to entertain suits against The People of Porto Rico, in the following cases:

(a) Actions for damages based upon contracts entered into after this Act takes effect.

(b) Actions to recover real or personal property or an interest therein, where the cause of action arises after the passage of this Act; *Provided*, That no recovery shall be had for any damages occasioned by The People of Porto Rico prior to the time of action brought.

Section 2.—No action can be brought against The People of Porto Rico unless consent thereto is expressly included within the provisions of this Act, and every consent, express or implied, given by The People of Porto Rico and not expressly included herein, is hereby revoked.

Section 3.—The procedure provided by law for civil cases at law in the district courts of Porto Rico shall govern the procedure in cases arising under this Act. Appeals may be taken to the Supreme Court of Porto Rico in the same cases, in the same manner, and within the same time as appeals are taken from the judgments in civil cases at law in the district courts.

Section 4.—The same fees shall be paid in cases arising under this Act, and in the same manner and time, and subject to the same regulations, as is provided by law for civil cases in the district courts of the Island; *Provided, however*, That every plaintiff, as condition precedent to commencing such suit, must furnish a bond satisfactory to the court in the sum of \$500 in answer for costs; *Provided, further, however*, That the court may exempt such litigants as show their inability to furnish the bond from giving same.

Section 5.—Attorneys' fees, disbursements and costs shall never be included in any judgment against The People of Porto Rico.

Section 6.—In any action against The People of Porto Rico under this Act, The People of Porto Rico may plead all set-offs or counter-claims and all claims for damages whether liquidated or unliquidated which it may have against the plaintiff; and if upon the whole case the court finds that claimant is indebted to the Government, judgment shall be rendered accordingly.

Section 7.—It shall be the duty of the judge to render a written opinion in support of every final judgment rendered, wherein findings of fact and conclusions of law shall be stated. A copy of each opinion shall at once be transmitted to the Attorney General of Porto Rico and to the Governor of Porto Rico.

Section 8.—It shall be the duty of the Attorney General to present to the Legislative Assembly at each session a report containing a list of all of the final judgments rendered against The People of Porto

Rico during the preceding year, with his recommendations concerning the payment of and compliance with the same, and no payments shall be made until the Legislature shall have specifically appropriated money for the payment.

Section 9.—All actions against The People of Porto Rico shall be prescribed, if suit is not begun within one year after the cause of action arises, except that actions referring to real property shall prescribe in two years. Any person having any claim against The People of Porto Rico for any cause of action arising prior to the taking effect of this Act shall within one year after said date present a petition to the Legislative Assembly of Porto Rico requesting authorization to bring suit for said claim in the manner herein provided for in this Act, stating the maximum amount of his claim, the date when the cause of action is alleged to have arisen, and any other facts which either house of the Legislative Assembly may request.

Section 10.—There shall be no remedy in any case for the collection of claims against The People of Porto Rico other than that provided by this Act, and those which are now specifically authorized by the Civil Code or by acts of the Legislative Assembly; *Provided, however,* That all such actions shall be brought only in the Insular district courts.

Section 11.—No execution or other process of the court shall be granted to enforce collection of judgments against The People of Porto Rico.

Section 12.—Claims against The People of Porto Rico shall not be assignable in any manner, nor shall they be subject to garnishment or attachment proceedings in any court.

Section 13.—Process, and all pleadings, notices, and papers in connection with any action or proceeding against The People of Porto Rico shall be served upon the Governor and the Attorney General in the manner provided by law.

Section 14.—All laws or parts of laws in conflict herewith are hereby repealed.

Section 15.—This Act shall take effect on July 1, 1916.

*Approved April 13, 1916.*

[No. 77.]

AN ACT

TO RAISE THE CATEGORY OF THE MUNICIPALITY OF COMERIO.

*Be it enacted by the Legislative Assembly of Porto Rico:*

Section 1.—That the category of the municipality of Comerío is hereby raised from that of Class III to that of Class II.

Section 2.—That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3.—That this Act shall take effect July 1, 1916.

*Approved April 13, 1916.*

[No. 78.]

AN ACT

APPROPRIATING THE SUM OF TWELVE THOUSAND DOLLARS FOR THE CONSTRUCTION OF A PIER IN THE PORT OF AGUADILLA.

*Be it enacted by the Legislative Assembly of Porto Rico:*

Section 1.—That there is hereby appropriated from any funds in the Insular Treasury, not otherwise appropriated, the sum of twelve thousand dollars, to be expended by the Commissioner of the Interior in the construction of a pier in the city of Aguadilla.

Section 2.—That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3.—That this Act shall take effect immediately after its approval.

*Approved April 13, 1916.*

[No. 79.]

AN ACT

MAKING APPROPRIATIONS FOR THE NECESSARY EXPENSES OF CARRYING ON THE GOVERNMENT OF PORTO RICO FOR THE FISCAL YEAR ENDING JUNE 30, 1917, AND FOR OTHER PURPOSES.

*Be it enacted by the Legislative Assembly of Porto Rico:*

Section 1.—That the following sums, or so much thereof as may be respectively necessary, are hereby appropriated out of any funds in the Treasury not otherwise appropriated in full compensation for the services of the fiscal year ending June 30, 1917, for the objects hereinafter expressly named:

LEGISLATIVE ASSEMBLY OF PORTO RICO.

*Salaries, Executive Council:* Five members, at \$2,500 each, \$12,500; secretary, interpreter and translator, per annum, \$3,000; assistant secretary and stenographer, per annum, \$2,500; assistant interpreter and translator and clerk, per annum, \$1,800; clerk and stenographer, per annum, \$1,700; journal clerk, per annum, \$900; sergeant-at-arms, per annum, \$1,100; messenger, per annum, \$480; janitor, per annum, \$360; temporary employees for engrossing, enrolling, translating and other clerical work in connection with the session of the Legislative Assembly, \$1,500; in all, \$25,840.

Legislative printing, \$800; incidental expenses, \$450; postage and freight, \$200; traveling expenses, \$400; telephone and telegraph, \$10; stationery, \$800; in all, \$2,660.

Printing and binding the laws of Porto Rico and the Journal of the Executive Council, \$2,500; in all, \$2,500.