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No. 46

## PARTE OFICIAL

### AN ACT

TO create the office of Director of Prisons, prescribing his duties and fixing his compensation.

BE IT ENACTED by the Legislative Assembly of Porto Rico:

Section 1—The Governor, by and with the advice and consent of the Executive Council, shall appoint a Director of Prisons, who shall hold his office for two years unless sooner removed by the Governor. He shall give bond to the People of Porto Rico in such sum as the Executive Council may prescribe.

Section 2—It shall be the duty of the said Director to visit and inspect all institutions established for the detention of sane adults charged with or convicted of crime, and to secure the just, humane and economic administration of all such institutions subject to his inspection; to aid in securing the erection of suitable buildings for the accommodation of the inmates of such institutions; to investigate the management of all institutions made subject to visitation of said Director and the conduct and efficiency of the officer or persons charged with their management; to secure the best sanitary conditions of the buildings and grounds of all such institutions, and to protect and preserve the health of the inmates; to collect statistical information in respect to the property, receipts and expenditures of said institutions, the number and condition of the inmates thereof, and to ascertain and recommend such system of employing said inmates as may in the opinion of said Director be for the best interest of the public.

Section 3—The Commissioner of the Interior shall provide for and assign to the Director of Prisons suitable rooms for his office, together with necessary furniture for the same.

Section 4—The said Director shall receive a salary of sixteen hundred dollars per annum, and he may appoint as employees and assistants in the performance of his official duties, a bookkeeper and disbursing officer, at a salary of one thousand dollars a year; an office clerk, at a salary of six hundred dollars a year; and a messenger, at a salary of three hundred sixty dollars a year. The disbursing officer shall give bond as required by law, and all disbursements, shall be made upon vouchers approved by the Director of Prisons.

Section 5—The warden of every prison or superintendent or manager of every penitentiary or keeper of every jail or other institution established for the detention of sane adults charged with or convicted of crime shall on or before the first day of May in each and every year report to the Director of Prisons the number of male and female persons charged with crime and awaiting trial, the number convicted of crime, the number detained as witnesses, together with a statistical exhibit of the number of admissions, discharges and deaths which have occurred within the twelve months previous, the nature of the charge, the period of deduction of sentence, and other facts and information.

Section 6—Any officer, superintendent or employee of any of said penal institutions who shall refuse to admit the Director for the purposes of visitation or inspection, or who shall refuse or neglect to furnish the information required, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of one hundred dollars (\$100) for each such refusal or neglect. The rights and powers hereby conferred may be enforced by an order of the districts, or supreme court, in making investigations as herein empowered, the said director of prisons is hereby authorized to issue compulsory processes for the attendance of witnesses, and the

production of papers, to administer oaths, and to examine persons under oath.

Section 7—The Director of Prisons shall appoint the wardens, agents, physicians and other officers of the Insular prisons, and may remove them from office whenever in his judgment the public interest shall so require, upon proof of charges proffered. He shall designate such number of keepers, guards, teachers and other employees at each of the said insular prisons as he may deem necessary for the safe keeping and improvement of the prisoners, or for the maintenance of discipline, provided the number of keepers and guards shall not exceed the proportion of one keeper and one guard to every thirty prisoners at each of said institutions.

Section 8—No appointments shall be made in any insular prison on the ground of partisanship; but honesty, capacity and adaptation shall constitute the rule for appointments, and any violation of this rule shall be sufficient cause for the removal from office of the officer committing such violation.

Section 9—The wardens, superintendents, and other employees shall receive such compensation as the Director may fix, subject always to the approval by the Executive Council.

Section 10—All salaries shall be payable monthly at the end of each month, and no officer or other employee shall receive any perquisites or emoluments for his services other than the compensation provided by law.

Section 11—The Director of Prisons shall subscribe and take oath of office to support the constitution of the United States, the law of Porto Rico, and to faithfully perform the duties of his office to the best of his skill and understanding, and all officers employees appointed by him shall take and subscribe a similar oath.

Section 12—The Director of Prisons is hereby required to make rules and regulations for the government of institutions under his control, provided such rules and regulations shall not be valid until first approved of by the Governor and the Executive Council.

Section 13—The Director of Prisons shall make monthly report to the Governor stating the names of all convicts received into the penitentiary during the preceding month, the district in which they were tried, the crimes of which they were convicted, the nature and duration of their sentences, their former trade, employment or occupation their habits, color, age, place of nativity, degree of instruction, and a description of their persons, and stating if any such convicts have ever been confined before, and if so when and where.

Section 14—All the official translations and dealings on account of each insular prison shall be conducted and in the name of the warden thereof, subject to the direction and supervision of the Director of Prisons.

Section 15—The Director of Prisons shall be responsible for the supply of provisions and other suitable articles for the maintenance of the prisoners under his charge and such supplies and provisions shall be furnished either by contract or by purchase after due advertisement and award made by the Director of Prisons, with the consent of the Executive Council. The articles of food and quantities of each kind shall be prescribed by the said Director, and in case contract is made it shall be reduced to writing and executed in duplicate.

Section 16—Regulations pertaining to the labor of the prisoners, their employments, rewards and commutations of sentences for good behavior, freedom of worship and other subject effecting the welfare of the prisoners and their management shall be prescribed by the said director and included in the regulations presented to the Governor and the Executive Council for their approval.

Section 17—The Board of Prison Control hereto-

fore established by General Orders No. 77, series 1899, is hereby abolished, and its duties not inconsistent with this Act are hereby transferred to the Director of Prisons as its successor.

Section 18—The appropriations provided for the Board of Prison Control in the Budget for the current fiscal year, ending June 30th, 1901, and also for the fiscal year ending June 30th, 1902 are hereby made applicable to the payment of all salaries and expenses accruing under the provisions of this Act, provided that the amounts of such appropriations shall in no case be exceeded, and the respective accounts of all salaries paid under the provisions of this Act shall be subject to the approval of the Executive Council.

Section 19—All laws or orders and parts of the same in conflict with this Act be, and the same are hereby repealed.

Section 20—This Act shall take effect from and after March 1, A. D. 1901.

*William H. Hunt,*

President of the Executive Council.

*Manuel F. Rossy,*

Speaker of the House of Delegates.

Approved, January 31st, 1901.

**CHAS. H. ALLEN,**  
Governor.

### LEY

para que un Decreto se cree el cargo de Director de Prisiones, determinando sus deberes y fijando su remuneración.

DECRÉTESE por la Asamblea Legislativa de Puerto-Rico.

Sección 1—El Gobernador, mediante el consejo y con el consentimiento del Consejo Ejecutivo, nombrará un Director de Prisiones, quien desempeñará su cargo por dos años, á no ser que antes sea destituido por el Gobernador, y constituirá fianza á favor de el Pueblo de Puerto-Rico por la cantidad que el Consejo Ejecutivo determine.

Sección 2—El deber de dicho Director será visitar é inspeccionar todas las instituciones establecidas para la reclusión de adultos en pleno uso de sus facultades intelectuales, acusados ó convictos de crímenes, y hacer que la administración de todas las instituciones susodichas sometidas á su inspección sea justa, humanitaria y económica, ayudar á obtener la construcción de edificios adecuados para albergar á los que han de alojarse en los expresados establecimientos; investigar el régimen de todas las instituciones que han de ser objeto de las visitas de dicho Director, y el comportamiento y la eficacia de los funcionarios ó personas encargadas de su administración, obtener las mejores condiciones sanitarias en los edificios de cada uno de dichos establecimientos y en los terrenos adyacentes, y proteger y preservar la salud de los que en ellos se alberguen; recoger informes estadísticos respecto á la propiedad, ingresos y gastos de los referidos establecimientos, del número y clase de los que allí estén reclusos, y averiguar y recomendar el sistema de emplear á dichos reclusos, que á juicio del citado Director sea más conveniente á los intereses del público.

Sección 3—El Comisionado del Interior facilitará al Director de Prisiones, local apropiado para su oficina y lo destinará á su uso con los muebles para ella necesarios.

Sección 4—Dicho Director recibirá un sueldo de mil seiscientos dólares al año, y é podrá nombrar como empleados y ayudantes en el desempeño de sus deberes oficiales, un tenedor de libros y oficial pagador, con un sueldo de mil dólares anuales; y un mensajero con un sueldo de trescientos sesenta dólares anuales. El oficial pagador constituirá la fianza que exija la Ley, y todo desembolso que se haga ha de estar justificado con un comprobante aprobado por el Director de Prisiones.

Sección 5.—Todo Alcalde de cualquier prisión ó