

CODIFICATION

Section is comprised of that part of section 7 of act Mar. 2, 1917, preceding the proviso clause. The remainder of section 7 is classified to section 748 of this title.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in act Apr. 12, 1900, ch. 191, §13, 31 Stat. 80.

AMENDMENTS

1980—Pub. L. 96-205 inserted provisions defining “control”.

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.

§ 748. Conveyance by President to people of lands, buildings, etc.

The President may, from time to time, in his discretion, convey to the people of Puerto Rico, such lands, buildings, or interests in lands, or other property now owned by the United States, and within the territorial limits of Puerto Rico as in his opinion are no longer needed for purposes of the United States. And he may from time to time accept by legislative grant from Puerto Rico any lands, buildings, or other interests or property which may be needed for public purposes by the United States.

(Mar. 2, 1917, ch. 145, §7, 39 Stat. 954; May 17, 1932, ch. 190, 47 Stat. 158.)

CODIFICATION

Section is comprised of proviso clause of section 7 of act Mar. 2, 1917. The text preceding the proviso clause of section 7 is classified to section 747 of this title.

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.

DELEGATION OF FUNCTIONS

For delegation to Secretary of the Interior of authority vested in President by this section, see Ex. Ord. No. 10250, eff. June 5, 1951, 16 F.R. 5385, set out under section 301 of Title 3, The President.

§ 749. Harbors and navigable waters transferred; definitions

The harbor areas and navigable streams and bodies of water and submerged lands underlying the same in and around the island of Puerto Rico and the adjacent islands and waters, owned by the United States on March 2, 1917, and not reserved by the United States for public purposes, are placed under the control of the government of Puerto Rico, to be administered in the same manner and subject to the same limitations as the property enumerated in sections 747 and 748 of this title. All laws of the United States for the protection and improvement of the navigable waters of the United States and the preservation of the interests of navigation and commerce, except so far as the same may be locally inapplicable, shall apply to said island and waters and to its adjacent islands and waters. Nothing in this chapter contained shall be construed so as to affect or impair in any manner the terms or conditions of any authoriza-

tions, permits, or other powers lawfully granted or exercised or in respect of said waters and submerged lands in and surrounding said island and its adjacent islands by the Secretary of the Army or other authorized officer or agent of the United States prior to March 2, 1917. Notwithstanding any other provision of law, as used in this section (1) “submerged lands underlying navigable bodies of water” include lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide, all lands underlying the navigable bodies of water in and around the island of Puerto Rico and the adjacent islands, and all artificially made, filled in, or reclaimed lands which formerly were lands beneath navigable bodies of water; (2) “navigable bodies of water and submerged lands underlying the same in and around the island of Puerto Rico and the adjacent islands and waters” extend from the coastline of the island of Puerto Rico and the adjacent islands as heretofore or hereafter modified by accretion, erosion, or reliction, seaward to a distance of three marine leagues; (3) “control” includes all right, title, and interest in and to and jurisdiction and authority over the submerged lands underlying the harbor areas and navigable streams and bodies of water in and around the island of Puerto Rico and the adjacent islands and waters, and the natural resources underlying such submerged lands and waters, and includes proprietary rights of ownership, and the rights of management, administration, leasing, use, and development of such natural resources and submerged lands beneath such waters.

(Mar. 2, 1917, ch. 145, §8, 39 Stat. 954; May 17, 1932, ch. 190, 47 Stat. 158; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501; Pub. L. 96-205, title VI, §606(a), Mar. 12, 1980, 94 Stat. 91.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act Mar. 2, 1917, ch. 145, 39 Stat. 951, as amended, known as the Puerto Rican Federal Relations Act and also popularly known as the Jones Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 731 of this title and Tables.

CODIFICATION

A further provision of section 8 of act Mar. 2, 1917, repealing act June 11, 1906, ch. 3075, 34 Stat. 234, and all other laws or parts of laws in conflict herewith was omitted.

AMENDMENTS

1980—Pub. L. 96-205 inserted provisions defining terms used in this section.

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.

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted “Title 10, Armed Forces” which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

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

Section, acts Mar. 2, 1917, ch. 145, § 38, 39 Stat. 964; Mar. 4, 1927, ch. 503, § 6, 44 Stat. 1420; June 24, 1948, ch. 610, § 7, 62 Stat. 580, related to grants of franchises, public service commission, etc.

EFFECTIVE DATE OF REPEAL

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

§ 751. Interstate commerce and certain other laws inapplicable to Puerto Rico

Subtitle IV of title 49, and the Safety Appliance Acts and the several amendments made or to be made thereto, shall not apply to Puerto Rico.

(Mar. 2, 1917, ch. 145, § 38, 39 Stat. 964; Mar. 4, 1927, ch. 503, § 6, 44 Stat. 1421; May 17, 1932, ch. 190, 47 Stat. 158.)

REFERENCES IN TEXT

The Safety Appliance Acts, referred to in text, are acts Mar. 2, 1893, ch. 196, 27 Stat. 531; Mar. 2, 1903, ch. 976, 32 Stat. 943; and Apr. 14, 1910, ch. 160, 36 Stat. 298, which were classified to sections 1 to 16 of Title 45, Railroads, and were repealed and reenacted in sections 20102, 20301 to 20304, 21302, and 21304 of Title 49, Transportation, by Pub. L. 103-272, § 1(e), 7(b), July 5, 1994, 108 Stat. 863, 881, 892, 893, 1379, the first section of which enacted subtitles II, III, and V to X of Title 49. Section 6 of act Apr. 14, 1910, which was classified to section 15 of Title 45, was repealed and reenacted as section 501(b) of Title 49 by Pub. L. 97-449, Jan. 12, 1983, 96 Stat. 2413.

CODIFICATION

“Subtitle IV of title 49” substituted in text for “The Interstate Commerce Act and the several amendments made or to be made thereto [49 U.S.C. 1 et seq.]” and “the Act of Congress entitled ‘An Act to amend an Act entitled ‘An Act to regulate commerce,’ approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities,’ approved March 1, 1913 [49 U.S.C. 19a]” on authority of Pub. L. 95-473, § 3(b), Oct. 17, 1978, 92 Stat. 1466, the first section of which enacted subtitle IV (§ 10101 et seq.) of Title 49, Transportation.

Section is comprised of second paragraph of section 38 of act Mar. 2, 1917. The first and third paragraphs of section 38 were classified to sections 750 and 753, respectively, of this title.

AMENDMENTS

1927—Act Mar. 4, 1927, reenacted section without change.

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.

§ 752. Corporate real estate holdings

No corporation shall be authorized to conduct the business of buying and selling real estate or be permitted to hold or own real estate except such as may be reasonably necessary to enable it to carry out the purposes for which it was created, and every corporation authorized after May 1, 1900, to engage in agriculture shall by its charter be restricted to the ownership and control of not to exceed five hundred acres of land; and this provision shall be held to prevent any

member of a corporation engaged in agriculture from being in any wise interested in any other corporation engaged in agriculture. Corporations, however, may loan funds upon real estate security, and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title. Corporations not organized in Puerto Rico, and doing business therein, shall be bound by the provisions of this section so far as they are applicable.

(May 1, 1900, No. 23, § 3, 31 Stat. 716; Mar. 2, 1917, ch. 145, § 39, 39 Stat. 964; May 17, 1932, ch. 190, 47 Stat. 158; July 3, 1950, ch. 446, § 5(2), 64 Stat. 320.)

CODIFICATION

Section is comprised of section 3 (less first sentence) of act May 1, 1900. The first sentence of such section 3 was superseded by section 39 of act Mar. 2, 1917. Prior to repeal of such section 39 by act July 3, 1950, the sentence read: “That all franchises, privileges or concessions granted under section thirty-two of said Act [act Apr. 12, 1900, ch. 191, 31 Stat. 83] shall provide that the same shall be subject to amendment, alteration, or repeal; shall forbid the issue of stock or bonds, except in exchange for actual cash, or property at a fair valuation, equal in amount to the par value of the stock or bonds issued; shall forbid the declaring of stock or bond dividends; and, in the case of public-service corporations, shall provide for the effective regulation of the charges thereof and for the purchase or taking by the public authorities of their property at a fair and reasonable valuation.”

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

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.

REPEALS

Section 5(2) of act July 3, 1950, repealed section 39 of act Mar. 2, 1917, cited as a credit to this section, eff. July 25, 1952. See Effective Date of Repeal note set out below.

EFFECTIVE DATE OF REPEAL

Repeal of section 39 of act Mar. 2, 1917, effective July 25, 1952, see note set out under section 732 of this title.

§§ 753, 754. Repealed. July 3, 1950, ch. 446, § 5(2), (4), 64 Stat. 320

Section 753, acts Mar. 2, 1917, ch. 145, § 38, 39 Stat. 964; Mar. 4, 1927, ch. 503, § 6, 44 Stat. 1420; May 17, 1932, ch. 190, 47 Stat. 158, authorized Legislature to regulate rates, tariffs, etc., of public carriers and public service commission to enforce those laws.

Section 754, acts Mar. 2, 1917, ch. 145, § 35, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158, which had been transferred to section 814a of this title, related to qualifications of electors.

EFFECTIVE DATE OF REPEAL

Repeal of sections 753 and 754 effective July 25, 1952, see note set out under section 732 of this title.

§ 755. Omitted

CODIFICATION

Section, act Apr. 12, 1900, ch. 191, § 11, 31 Stat. 80, provided for redemption by Secretary of the Treasury of Puerto Rican silver coins known as the peso and all other Puerto Rican silver and coppers in circulation on Apr. 12, 1900, except those imported after Feb. 1, 1900, at