

Public Law 87-189

AN ACT

August 30, 1961
[H. R. 7038]

To eliminate the right of appeal from the Supreme Court of Puerto Rico to the Court of Appeals for the First Circuit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 81 of title 28, United States Code, is amended by inserting therein immediately after section 1257 of such title an additional section reading as follows:

Puerto Rico.
Courts, appeals.
62 Stat. 927.

"§ 1258. Supreme Court of Puerto Rico; appeal; certiorari

"Final judgments or decrees rendered by the Supreme Court of the Commonwealth of Puerto Rico may be reviewed by the Supreme Court as follows:

"(1) By appeal, where is drawn in question the validity of a treaty or statute of the United States and the decision is against its validity.

"(2) By appeal, where is drawn in question the validity of a statute of the Commonwealth of Puerto Rico on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, and the decision is in favor of its validity.

"(3) By writ of certiorari, where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of the Commonwealth of Puerto Rico is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution, treaties, or statutes of, or commission held or authority exercised under, the United States."

SEC. 2. The analysis of chapter 81 of title 28, United States Code, immediately preceding section 1251 of such title, is amended by inserting at the end thereof immediately following item 1257 an additional item, reading as follows:

"1258. Supreme Court of Puerto Rico; appeal; certiorari."

SEC. 3. Section 1293 of title 28, United States Code, is repealed: *Provided*, That such repeal shall not deprive the Court of Appeals for the First Circuit of jurisdiction to hear and determine appeals taken to that court from the Supreme Court of Puerto Rico before the effective date of this Act.

Repeal.

SEC. 4. Item 1293 is stricken from the analysis of chapter 83 of title 28, United States Code, immediately preceding section 1291 of such title.

SEC. 5. Section 1294 of title 28, United States Code, is amended by striking out paragraph (4) thereof reading as follows:

"(4) From the Supreme Court of Puerto Rico, to the Court of Appeals for the First Circuit;"

and by renumbering paragraph (5) thereof as paragraph (4).

Approved August 30, 1961.